



## **ARTICLE 19's submission to the report on Gender Justice by the UN Special Rapporteur on Freedom of Expression**

### **Introduction**

ARTICLE 19 welcomes the opportunity to input into the forthcoming report by the UN Special Rapporteur on Freedom of Expression and Opinion (Special Rapporteur) on gender justice to the 76th session of the General Assembly.

The right to freedom of expression and information (the right to freedom of expression) and the ability of women and girls to exercise it has been, and continues to be, an essential means to tackle discrimination, inequality, and patriarchal norms. In the last decades, the Internet and digital technology have presented new opportunities for women and gave them new or stronger ways to speak out, organise, protest, raise awareness of discrimination as well as to widen the space for their participation in the public life. At the same time, systemic barriers to exercising the right to freedom of expression continue to persist for women that prevent their voices from being fully heard. For example, discrimination and violations of women's rights have played out online or through digital technology and created a powerful platform for further discrimination, harassment and abuse. At times, these attacks appeared to pit the right to freedom of expression and the right to non-discrimination and equality against each other.

However, ARTICLE 19 believes that freedom of expression and women's rights are mutually reinforcing rights. It is essential that barriers to gender equality are tackled in a way that protects freedom of expression, and creates an enabling environment for women and girls to contribute to online and offline debate, and making sure their voices are heard.

ARTICLE 19 therefore welcomes the decision of the Special Rapporteur to examine this issue and offer recommendations on how to promote gender equality in a way that complies with international standards on freedom of expression. We also appreciate that this report comes at a critical time, with the COVID-19 pandemic exacerbating existing inequalities, particularly as it relates to gender, and threatening long-fought gains in gender equality worldwide. In response to the pandemic and the surrounding political and economic landscape, we believe it is crucial to maintain an enabling environment for freedom of expression, centering equality and equity, and ensuring that any restrictions on freedom of expression fully comply with international human rights standards.

ARTICLE 19 has significant experience working on this issue both globally and at regional and national levels, including through analysis of existing and draft legislation; support to journalists, human rights defenders, activists and social communicators confronted with gender-based attacks; and through regional and global policy and advocacy work.

In this submission, we respond to questions 1, 3, 7, 9 and 10 of the Special Rapporteur's call for submissions. We also provide further examples from Central America under questions 1, 2 and 10 in the appendix (in Spanish).

## **1.a Barriers, challenges and threats faced by women in the public sphere in exercising their freedom of opinion and expression online and offline**

All over the world, women and girls are faced with multiple and intersecting discrimination and restrictions, which deny them their full enjoyment of fundamental human rights, including the right to freedom of expression. These include pervasive and damaging gender stereotypes, gender-based violence, limited access to education, economic participation, and positions of economic power, and restrictions on their ability to participate in debates and political processes, many of which are used specifically to silence women and prevent them from exercising their right to freedom of expression.

In recent years, the global rise of authoritarianism and big tech has led to the accentuation of patriarchy and misogyny, the concentration of money and power, and the expansion of systemic discrimination. Any analysis of freedom of expression for women must consider the broad context of misogyny under which all women must operate. The persistence of gender stereotypes and discrimination in the media remains one of the major overall challenges to women's empowerment and gender equality, according to the UN Secretary-General António Guterres.<sup>1</sup>

### Gender-based violence, threats and harassment

Women not only face the threat of gender-based violence impacting their ability to exercise their freedom of expression, for example to participate in protests or engage in public debate or express their sexuality, but they also often face stigmatisation and further violence for speaking out against it through protest or other means. Women journalists, human rights defenders, protestors and activists who are subject to arbitrary detention are more likely to experience sexual violence at the hands of authorities.

ARTICLE 19's research shows that women face the greatest threat of gender-based violence before and after exercising their right to protest. For instance, our research in Brazil, Chile and Argentina in 2021<sup>2</sup> revealed that the moment of protest itself is not necessarily the most dangerous for women, as they experience violence before and after participating in a demonstration. Many women face persecution on the way home after the protest, as they are usually alone and are easily identifiable on public transport by opponents. Furthermore, in many cases they end up suffering repression in their own community and family, especially in small conservative towns. Similarly in Mexico, where feminist protests and movements have been at the forefront of calls for accountability and reform for violence against women,<sup>3</sup> the protest actions have been met with attacks by those who benefit from

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<sup>1</sup> Equality Now, [Why Press Freedom Matters for Gender Equality](#), 3 May 2020.

<sup>2</sup> ARTICLE 19, [Girl, did you get home safely? Care and safety for women in protests in Latin America](#), 8 March 2021.

<sup>3</sup> In Mexico in 2020, 3,825 femicides were recorded, which is an alarming average of ten violent deaths per day; see, e.g. D. Rodríguez, [The creator of the map of femicides: "The State does not understand the causes of violence"](#), *El País*, 18 February 18, 2020. Federal government figures reflect that more than half of Mexican women have suffered violence at some point in their life. The National Institute of Statistics and Geography (INEGI) affirms that "violence against women is a problem of great dimension and a widespread social practice throughout the country, since 66 out of every 100 women aged 15 years and over, residents in the country, have experienced at least one act of violence of any kind, be it emotional, physical, sexual, economic, patrimonial violence or employment discrimination, which has been carried out by different aggressors, be it the partner, the husband or boyfriend, a relative, school or work colleague, any school or work authority or by friends, neighbors

the status quo, with increased efforts to further marginalize women and the communities they represent.

Women who speak out against government abuses, corruption and women's rights issues, or who report on issues which have traditionally been considered more "suited for men", are already at a particular risk of attack, as part of efforts to silence them and restrict their free expression. For instance, in 2018, prominent human rights defender and Rio de Janeiro city councillor Marielle Franco was assassinated. Brazilian journalist Bianca Santana emphasized that "Marielle Franco was a black, bisexual woman with a history of speaking up for the poor and marginalized is central to her murder case. Bolsonaro foments hatred against minorities. Racist comments against black and indigenous people, and the homophobic and misogynistic behavior he expresses, have become more explicit every day."<sup>4</sup>

Women detained for exercising their free expression all over the world face a greater risk of sexual and gender-based violence. Sexual violence, including threats of rape, at the hands of security forces have been reported against protesters, journalists and media workers – especially in detention centers. In Belarus, for example, the crackdown by President Lukashenka against the protest movement often led by women, has also included serious gender-based violence. In Egypt, after a crackdown on LGBTQI people following a concert which saw 75 people arrested, queer activist Sarah Hegazy was detained and subject to torture and sexual violence, for waving a pride flag.<sup>5</sup> She later took her own life after suffering PTSD following the abuse. There is also a continued trend of threats and deprivation of custodial rights as a way of silencing women protesters.<sup>6</sup>

Women journalists in particular face gender-based violence and online harassment and abuse as a result of their work, as well as being subject to gender-based harassment within their workplaces.<sup>7</sup> For instance, the situation for women journalists in Mexico is particularly worrying. In 2020, ARTICLE 19 Mexico registered 207 attacks against women journalists in relation to their work. This represents 29.91% of the total attacks that year, which is an increase of 23.9% compared to 2019.

ARTICLE 19 is aware of cases where women journalists and human rights defenders in Central America are subject to sexual violence by security authorities while in arbitrary detention as a result of exercising their right to free expression.

As for workplace harassment, ARTICLE 19 has documented how women journalists in Honduras face gender-based violence in their workplaces, including harassment and discrediting from their colleagues, and the persistent implication that women are not suited to journalistic work. Within newsrooms, women are subjected to verbal attacks ranging from comments about their clothing and their bodies, to discrimination based on their sexuality. For example, Wendy Funes, from Investigative Reporters, said on this issue: "What happens with journalists is that they always want to use the sexual issue to discredit them or, sometimes, you can say that if they are critical they have a certain sexual orientation, then

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or known or strangers": National Institute of Statistics and Geography (INEGI), [Statistics on the International Day of the Elimination of Violence against Women](#), press release 592/19, Mexico, INEGI, 21 Nov 2019.

<sup>4</sup> See e.g. B. Santana, [Jair Bolsonaro accused me of spreading 'fake news'. I know why he targeted me](#), The Guardian, 22 June 2020.

<sup>5</sup> ARTICLE 19, [ARTICLE 19 pays tribute to Queer Egyptian activist Sarah Hegazy](#), 25 June 2020,

<sup>6</sup> OSCE, [OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus](#), 5 November 2020.

<sup>7</sup> ARTICLE 19, [Ending Impunity: Acting on UN Standards on the Safety of Journalists](#), 2 November 2019, p.18.

they want to discredit them for their sexual orientation. There is the case of a colleague who ran from her work because her naked image was circulating on the communication networks, because someone leaked it”.

Impunity and disregard for gender-based violence against women is also a significant barrier. Frequently, both online and offline, women face the sense that violence against women or serious online harassment and abuse is a matter of minor importance. This is, due in part to the lack of mobilisation around the issue, as well as the failures of institutions to investigate and bring perpetrators to justice, and a lack of access to the justice system for many women, in particular those who experience multiple and intersecting forms of discrimination.

### Exclusion from political participation and decision-making

Women’s right to freedom of expression requires them to have equal access to the spaces for public debate, and be equally able to share their ideas and opinions without censorship, or fear of retaliation. Women’s political participation often represents a challenge to deep-seated male-dominated spheres of power, illiberal views, and elitism.<sup>8</sup> The exclusion of women from the political sphere, and other spheres of decision-making and power, is purposeful and actively propagated by existing power structures through formal and informal means.

Women are often excluded from political parties’ leadership,<sup>9</sup> and as a result, rely heavily on the internet and social media to engage in political discourse and run political campaigns for office. During the 2017 Kenyan election, Internet and social media were some of the main avenues for women’s political participation, electoral campaigns, and civic expression. ARTICLE 19’s monitoring by our Eastern Africa office from that period revealed alarmingly that women in politics were met with severe gender-based online abuse and harassment, pushing many of them offline and ending their candidacies. The attacks were sexual, misogynistic and reinforced the damaging patriarchal norm that politics is for men.

### Online harassment and abuse

Online harassment and abuse of women, in particular women journalists, has become more prominent and more coordinated in recent years and can occur on the basis of their reporting, or purely on the basis of being women operating in the public sphere. The objective of these types of attacks is to silence, stigmatise and intimidate women journalists.<sup>10</sup> This can have the effect of driving them offline and out of debate, whether because they fear for their safety, or the barrage of abuse becomes unbearable whenever they open their devices. This may operate as a form of self-censorship – women face the issue of deciding to access certain forms of technology or speak out online when they are at risk of abuse, which can often escalate to threats to their physical safety. Restriction of women’s access to information and expression online in this form therefore often has a similar impact to offline attacks, and is often accompanied by them, and must be taken seriously as a free expression concern.

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<sup>8</sup> U4, [Close the political gender gap to reduce corruption: How women's political agenda and risk aversion restricts corrupt behaviour](#), 2018.

<sup>9</sup> Carnegie Endowment for International Peace, [Breaking the Cycle of Gender Exclusion in Political Party Development](#), 2020

<sup>10</sup> See ARTICLE 19’s policy papers on [online harassment and abuse against women journalists](#).

Women in public-facing roles, such as women in politics, journalists, human rights defenders and activists, are particularly exposed to online harassment and abuse. For instance:

- In India, Kavita Krishnan, politician and activist, and a powerful voice for women's rights in India, says she receives near "nonstop" harassment – anywhere from 50 to 100 abusive messages a day on Twitter – for being an outspoken critic of Prime Minister Narendra Modi's Bharatiya Janata Party (BJP).<sup>11</sup>
- In Iran, ARTICLE 19 has found that women journalists reporting on Iran from the diaspora, for example, regularly face coordinated campaigns of online abuse, including doxing (publishing of personal information online) combined with threats of violence and sexual violence; targetting of family members with doctored images of them superimposed on pornographic images; and coordinated and persistent campaigns of harassment which include facing barrages of messages calling them derogatory slurs such as 'slut' or 'whore'.<sup>12</sup>
- In Brazil, ARTICLE 19 has documented how women often face online harassment following their participation in protests, through the dissemination of photos taken at the protest which enables conservative groups online to identify them. In Brazil, following feminist protests, photos of women, in particular black women, participating in the protests were used in hate campaigns by conservative groups online. In Chile, women activists are often sent videos of beatings and rape as part of targetted abuse as a result of their activism and protest.<sup>13</sup>

Social media companies have a key role to play in addressing online harassment and abuse against women. However, their content rules, which often contain broad and vague terms, and the opaque way in which they are applied and enforced, means women are often left with little support or recourse to addressing or removing abusive content.<sup>14</sup>

### Other forms of attacks and smear campaigns

Governments and powerful actors in society often use other forms of attacks, including sexist smear campaigns to undermine the voices of women and stigmatise them, both to make others less likely to agree with their cause but also to make it more risky for women to speak out, as they may face ostracisation in their workplaces or communities.

ARTICLE 19 documented that such tactics have been used by the Governments in Russia,<sup>15</sup> Hungary,<sup>16</sup> Philippines,<sup>17</sup> Turkey,<sup>18</sup> Belarus, Iran or Mexico; where the political leaders or groups have used smear campaigns to attack women in politics and women journalists or activists, aggressively challenge feminism, and attack human rights values.<sup>19</sup> For instance in

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<sup>11</sup> See e.g. E. Mackintosh & S. Gupta, [Troll armies, 'deepfake' porn videos and violent threats. How Twitter became so toxic for India's women politicians](#), CNN, 22 January 2020.

<sup>12</sup> These examples are based on unpublished research by ARTICLE 19, through interviews with women journalists in the Iranian diaspora.

<sup>13</sup> Girl, Did You Get Home Safely, *op.cit.*, p. 27.

<sup>14</sup> See ARTICLE 19, [Online harassment and abuse against women journalists and major social media platforms](#), November 2020.

<sup>15</sup> See e.g. A. Ferris-Rotman, [Putin's War on Women, Why #MeToo skipped Russia](#), Foreign Policy, 9 April 2018.

<sup>16</sup> S. Walker, ['We won't keep quiet again': the women taking on Viktor Orbán](#), The Guardian, 21 December 2018.

<sup>17</sup> P. Occenola, [Disinformation gone macho: When disinformation is weaponized against women, misogyny rears its ugly head](#), Rappler, 15 December 2018.

<sup>18</sup> S. O'Grady, [Erdogan Tells Feminist Summit That Women Aren't Equal to Men](#), the Foreign Policy, 24 November 2014.

<sup>19</sup> L Di Meco and K Wilfore, [Gendered Disinformation is a National Security Problem](#), Brookings Institution, 8 March 2021

Mexico, in response to feminist protests, President Andrés Manuel López Obrador in 2020 publicly sought to minimise women's demands for justice by labelling the women as 'conservatives' and stating that their expression was "violent" when it was not. Similarly in Belarus, women protesting against repression have faced biased, sexist news coverage of their actions seeking to undermine their legitimacy,<sup>20</sup> while our research has found women journalists in the Iranian diaspora frequently experience smear campaigns online designed to discredit them.<sup>21</sup>

### Criminalisation of women's online expression

In many contexts women have been particularly targeted by restrictive criminal laws. For instance, Egyptian authorities have been using such laws to police women:

- In April 2020, Haneen Hossam, who has over 1.3 million followers online, was arrested for 'promoting prostitution' after posting a clip saying girls could make money on TikTok - apparently referring to the ability of 'influencers' to make money through posting videos. Fellow influencer Mowada al-Adham was also arrested on charges of promoting immorality. While both were later acquitted in January 2021<sup>22</sup>, their arrests for using social media platforms to express themselves creates a chilling effect on women's online expression.
- In June 2020, a well known Egyptian belly-dancer Sama el-Masry was sentenced to three years in prison for posts of her dancing shared in TikTok, which she says were stolen and shared without her consent, but formed the basis of her prosecution on morality charges and for 'inciting debauchery'<sup>23</sup>.
- Teenager Menna Abdelaziz was arrested and detained in May 2020 for 'inciting debauchery' after posting a TikTok video in which she appeared injured and said she had been beaten and gang-raped.<sup>24</sup> Her attackers were later able to share video footage of her assault online before being arrested. Although later transferred to a rehabilitation centre and released in September 2020, her arrest and subsequent online abuse simply for reporting her rape to her followers and seeking help is likely to discourage other women from reporting and talking about their experiences of sexual and gender-based violence.

Similarly In Iran, women using instagram have been targeted for supposed 'immoral' behaviour, with authorities mandating in May 2020 that women appearing on social media without a hijab would face criminal charges.<sup>25</sup> After the declaration was made, dozens of women were reportedly arrested. Iranian women activists already face state repression, with women often detained for protesting against mandatory hijab laws.<sup>26</sup> The 2020 rules on social media also follow years of authorities trying to police expression on instagram, a popular social media platform in the country.

### Biometric surveillance

As much of women's ability to demonstrate and express themselves in public space requires

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<sup>20</sup> ARTICLE 19, [Joint call to make respect for press freedom a cornerstone of all demands towards Belarus](#), 11 June 2021

<sup>21</sup> *op.cit.*

<sup>22</sup> AFP, [Egyptian court acquits women jailed for 'inciting debauchery' on TikTok](#), The Guardian, 12 January 2021

<sup>23</sup> Reuters, [Egypt court jails belly dancer for 'debauchery' in social media crackdown](#), 27 June 2020

<sup>24</sup> Amnesty International, [Egypt: Survivors of sexual violence and online abuse among prosecuted women TikTok influencers](#), 13 August 2020

<sup>25</sup> ARTICLE 19, [Iran: Policing women on social media](#), 22 May 2020

<sup>26</sup> ARTICLE 19, [Iran: Harsh sentencing of Nasrin Sotoudeh sets a new tone for judicial repression of human rights](#), 12 March 2019



them to be present in the streets, it is important to consider the impact of the increasing use of biometric surveillance on women's freedom of expression, as well as freedom of expression more broadly.<sup>27</sup>

Technologies such as facial recognition often have in-built algorithmic biases, making them more prone to discrimination. Combined with their frequent use to profile individuals into certain groups by sex, race etc, this can have a discriminatory impact on human rights, including free expression. The use of these technologies can in particular increase the risk of discrimination and persecution faced by specific groups, such as black and LBT women - which can enable repression of feminist protests as well as creating a chilling effect, discouraging these women from joining demonstrations.

Besides the biometric surveillance issue, it is also worth noting that public space in cities as a whole is a topic that should take into consideration women's right to express themselves. In this sense, so-called "smart cities" projects need to be assessed under a gender perspective, since the implementation of technologies in urban public services may not necessarily meet a feminist urban agenda or the idea of building "a city for all".

### Barriers to access to information

Women face significant barriers and structural obstacles in accessing information, which undermine their ability to fully exercise this fundamental right, and use it to challenge the structures that facilitate discrimination against them.<sup>28</sup> These include reduced awareness for women of their right to access information and where to seek information as a result of greater prevalence of illiteracy among women; social and legal norms that deem it inappropriate for women to approach authorities or access public systems to seek information; or economic disparities which enable and perpetuate the gender digital divide,<sup>29</sup> impeding women's ability to access technology and the Internet compared to men, and therefore their ability to access information.

These discriminatory barriers in women's access to information have been exacerbated by the Covid 19 pandemic (see below).

## **1.b Distinct challenges faced by those experiencing multiple and intersecting forms of discrimination**

### Women and intersectionality<sup>30</sup>

The barriers women face in exercising their freedom of expression are often compounded and distinguished by the multiple and intersecting forms of discrimination many women face. For example, a black trans woman living in the global south, who doesn't speak English or the national language, and lives far from the city center, will have to fight through barrier after barrier (often alone) in order to exercise her free expression and have her voice heard.

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<sup>27</sup> See ARTICLE 19, [When bodies become data: Biometric technologies and free expression](#), May 20201

<sup>28</sup> ARTICLE 19, [Tackling gender inequality through access to information](#), 28 September 2020

<sup>29</sup> ARTICLE 19, [Submission by ARTICLE 19 to the UN OHCHR in contribution to the report on "Ways to bridge the gender digital divide from a human rights perspective"](#), March 2017

<sup>30</sup> See K Crenshaw, [Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics](#), University of Chicago Legal Forum, Volume 1989 Issue 1

Women faced with multiple and intersecting forms of discrimination are not only often at greater risk of abuse, but they also often face distinct barriers in their access to state institutions for protection or redress.

In the context of protest, research by ARTICLE 19 revealed that violence suffered by women in Latin America differs due to elements including race and class: "Listening to the interviewees, it is evident that a white girl from the interior of Santa Maria places herself on the streets differently from a black girl in the city of São Paulo. Some may be more vulnerable to the aggression of the Bolsonaroist neighbour, others may fear police abuse more. Experienced activists with greater visibility do not need anonymity or even protection courses on the Internet, while many other women may need both. Experienced or novice activists must also have access to legal advice that clarifies their rights to them and promotes defence in the event of abuse. Immigrant women in Santiago may not know how to access these services and may not be aware of their most fundamental rights. The importance of peer monitoring of the demonstrators' path is consensual in all scenarios explored in this research, but it must be remembered that poor women may not have access to a sufficient internet data plan for this on their cell phones. Trans women need to think about how they can use the toilets without being assaulted. Women in wheelchairs need to discuss dispersion strategies that are completely different from those available to people without disabilities, for whom, for instance, running in comfortable sneakers can be a useful tactic. How do you protect women who cannot run or see?".<sup>31</sup>

LBT women in many societies face gender-based violence and criminalisation at the hands of repressive state authorities intent on denying the rights of LGBTQI people.

In Malaysia there have been repeated attempts to codify as Sharia criminal offences the changing of one's gender and producing or sharing social media content deemed obscene and indecent, including images of non-normative gender identities.<sup>32</sup> Since February 2021, Nur Sajat, a transgender woman, has face prosecution by the Selangor Islamic Religious Department for insulting Islam and wearing female attire under the Selangor Syariah Criminal Offences Enactment 1992.<sup>33</sup> She is currently in hiding and religious authorities have sent more than 100 officers to track and arrest her.<sup>34</sup>

In June 2020, Sarah Hegazi took her own life two years after seeking and being granted asylum in Canada following her arrest, torture and sexual assault for raising a pride flag at a concert in Cairo, Egypt.<sup>35</sup>

Likewise, women belonging to religious minorities are often faced with intersecting discrimination. In France, an amendment to an 'anti-separatism' bill<sup>36</sup> designed to 'strengthen France's secular values' and which applies to girls under 18 has drawn outrage and prompted an online protest under the hashtag #HandsOffMyHijab (#PasToucheAMonHijab) that went viral beyond French borders. France prohibited the wearing of Islamic headscarves in state schools in 2004. In 2010, it banned the niqab, the full-face Islamic veil, in public places such as streets, parks, public transport, and administrative buildings. The amendment

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<sup>31</sup> Girl, Did You Get Home Safely, *op.cit.*, p. 39

<sup>32</sup> Human Rights Watch, [Malaysia: Government Steps Up Attacks on LGBT People](#), 25 January 2021 and S Mahsinah Abdullah, [Deputy minister explains amendment of Act 355 for LGBT](#), New Straits Times, 21 January 2021

<sup>33</sup> Justice For Sisters, [End All Persecution Against Sajat Immediately](#), 26 February 2021

<sup>34</sup> A Chew, [Transgender Malaysian Nur Sajat gets death threats, disappears after Facebook video appears to show her renouncing Islam](#), SCMP, 5 March 2021

<sup>35</sup> *Op.cit.*

<sup>36</sup> Reuters, [Hands off my hijab! Young Muslim women protest proposed French ban](#), 4 May 2021



pertains to all religious symbols, though in reality it primarily targets Muslims. Subsequent requirements regarding face coverings in relation to the Covid 19 pandemic have put Muslim women in a particularly challenging position, facing being required to not wear a face covering for religious reasons, but to wear a face covering for medical reasons, with very little clarity on how this distinction will be made.<sup>37</sup>

## **1.c The impact of the pandemic, economic crises and recent political unrests on women's ability to communicate, protest and access information online and offline**

### Covid 19 and increasing gender inequality

The measures undertaken to address the Covid-19 pandemic have deepened existing inequalities around the globe. Women have been more severely impacted by massive unemployment and precarious working conditions, as well as the merging of domestic and work spheres. The impact on women is deeply connected to their race, ethnicity and class, which often defines who is able to access information and communication.

In many cases, things like a lack of access to the Internet and online communication can prevent women from communicating about domestic abuse and gender-based violence, for example in remote areas with poor infrastructure and a lack of connectivity, or for women living in poverty with limited access to resources.

Many governments have also responded to Covid-19 with an increased reliance on new technologies, including biometric technologies such as facial recognition.<sup>38</sup> As noted above, increased use of these surveillance technologies can have particularly damaging impacts on women and must not continue.

### Access to information in the Covid 19 pandemic

The COVID-19 pandemic has been accompanied by serious failures by governments in enabling access to information, as well as active efforts to prevent the free flow of information. Given that women already face significant barriers in exercising their right to information, this further reduction in access to this right has had a damaging impact for women in particular.

Governments have in some cases sought to actively censor information online, such as efforts by the Indian government to silence discussion of Covid-19 on social media,<sup>39</sup> or otherwise failed to proactively publish or enable access to vital information about the impact of the pandemic on societies.<sup>40</sup>

During the pandemic, reliable, accurate, and accessible information is essential not only to reducing the risk of transmission of the virus but also to reducing the likelihood of stigmatisation or discrimination against vulnerable groups, including those infected with Covid-19. It is also vital that information disaggregated by sex and gender is made available,

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<sup>37</sup> ARTICLE 19, [Coronavirus: Rules illustrate "bad law" on face coverings](#), 19 June 2021

<sup>38</sup> See, for example: ARTICLE 19, [UK: Government must not adopt facial recognition for immunity passports](#), 4 May 2021

<sup>39</sup> ARTICLE 19, [India: Instagram's censorship of COVID-19 posts jeopardises free speech](#), 17 May 2021

<sup>40</sup> See ARTICLE 19, [Ensuring the public's right to know in the Covid 19 pandemic](#), May 2021

in order that the impact of the pandemic on women and other groups can be clearly identified and action taken to address this.

The consequences of the COVID-19 pandemic measures are also different for women belonging to particular groups. In Latin America and the Caribbean, indigenous, rural and Afro-descendant women have faced particular barriers to their access to information. ARTICLE 19 has documented that: a) The information published by authorities has not been in indigenous languages, and is often in very technical language, and in some cases, it arrived late; b) The means and formats for disseminating information is not appropriate to some communities, since in many rural and indigenous communities there is no access to the Internet, television signal, or they do not have technological resources.

Governments must take extra measures to ensure that women from communities in vulnerable situations are fully reached during the pandemic. This involves planning and communication strategies. Thus, they must develop special social communication strategies and appropriate means to reach them, including local and indigenous languages, taking into account audio formats to target illiterate persons.

### **3. A gendered perspective on the human right to freedom of opinion and expression and the value of a feminist perspective**

ARTICLE 19 interprets “gender justice” as “ending the inequalities between women and men that are produced and reproduced in the family, the community, the market and the state.”<sup>41</sup> This means that ARTICLE 19 takes a systemic view of gender discrimination and how long-standing modes of oppression play an essential role in creating barriers to this right.

Underpinning this submission and our recommendations is the notion that addressing gender inequality, gender-based discrimination and violence against women cannot be achieved by suppressing the right to freedom of expression, and indeed cannot be achieved without guaranteeing women’s freedom of expression. Gender equality and freedom of expression are mutually reinforcing rights: gender equality enables women to fully enjoy their right to freedom of expression, while enjoyment of freedom of expression empowers women and enables them to challenge inequality. It is essential therefore that States follow international human rights standards in protecting both rights and where necessary, striking an appropriate balance between them.

We believe a feminist perspective on freedom of expression must have as a starting point the understanding that the guarantee of individual human rights must not be focused on one single right, but the guarantee of all rights, including equality and non-discrimination. Gender equality must not be a side note to discussions on freedom of expression or other rights, but a core element, placed at the centre of the discussion.

Equally, in order to develop a feminist approach to the right to freedom of expression, we must guarantee that intersectional perspectives on gender equality are at the heart of discussions, and that this is guaranteed in civic space and leadership positions. A feminist perspective must not be detached from perspectives aimed at ending all forms of discrimination and promoting the rights of people of colour, indigenous people, LGBTQI people and others. Violence and discrimination committed against women of colour, indigenous and LBT women must be taken into consideration.

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<sup>41</sup> See definition of “gender justice” as described by UN Women’s report [Gender Justice: Key to Achieving the Millennium Development Goals](#), 2010

A feminist perspective must also be applied to the development and use of technologies, which have a deep impact on the right to free expression. New technologies and platforms are being developed and used without sufficient gender analysis of their impact, which often perpetuates discrimination and embeds a white, male and Western narrative in the technology underlying our societies. While new technologies can provide women with vital tools to communicate and empower themselves, the way in which many of these technologies are developed and implemented often has the effect of embedding discrimination against women further, and this must be addressed in any feminist approach to free expression.

Overall, when assessing risks and threats to freedom of expression a gender-sensitive analysis and approach is essential, and one which “addresses underlying causes and risk factors, including gender stereotypes, multiple and intersectional forms of discrimination, and abuse of relationships of power due to gender, including the dangers and risks derived from intersectional discrimination, abuse of power relations and heteropatriarchal norms”.<sup>42</sup>

## **7. Recommendations to states States to a) uphold women’s human right to freedom of opinion and expression b) protect women from violence, harassment and intimidation online and offline and c) promote women’s public participation?**

ARTICLE 19 has articulated a number of recommendations to states on the protection and promotion of freedom of expression and gender equality.<sup>43</sup> In particular, the States should

- Ensure that the right to freedom of expression and information, through any medium of communication, is enshrined in domestic constitutional provisions or their equivalent, in accordance with international human rights law. In particular, domestic constitutional provisions should set out clearly the scope of permissible restrictions on the right to freedom of expression, including that such restrictions must be provided by law, be narrowly defined to serve a legitimate interest recognised in the constitution, and be necessary in a democratic society to protect that interest.
- Establish a clear legal and policy framework for the protection of the right to information, the right to information and gender equality, through the development of comprehensive legal frameworks. This should be followed by a comprehensive implementation of legal and policy measures which are equitable and remove barriers to women’s access to information, including by challenging social and cultural norms that entrench discriminatory attitudes towards women.
- Ensure equal representation of women in government leadership roles, decision-making and within governing bodies, and enable their full public participation.
- Strengthen anti-discrimination legislation and implementation. In particular, all domestic laws should guarantee gender equality before the law and offer equal protection of the law.
- Build institutional knowledge and responses to gender discrimination by creating independent equality institutions to promote and protect gender equality and nondiscrimination with respect to freedom of expression. These institutions should

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<sup>42</sup> International Labor Organization, “Convention 190 on the Elimination of Violence and Harassment in the World of Work”, 2019.

<sup>43</sup> ARTICLE 19, [Freedom of expression and women’s equality: Ensuring comprehensive rights protection](#), November 2020

not work in isolation but be encouraged to develop partnerships across public sector agencies and, where appropriate, the private sector and civil society to tackle the root causes of inequality and discrimination.

- Ensure equality training for all public workers, speak against discrimination and develop public education and information campaigns.
- Guarantee an independent, pluralistic, and self-regulated media. Specifically, States should focus on ending the 'digital gender divide' and ensure that women have equal access to, use and enjoyment, technologies and media platforms.

ARTICLE 19 has also set out recommendations detailing how States should seek to respond to and investigate incidences of online harassment and abuse of women journalists in particular.<sup>44</sup> These include:

- States should recognise that online gender-based harassment and abuse against women journalists who are targeted for exercising journalism activities, is a serious problem and adopt integrated prevention, monitoring, and response mechanisms, including in public policy.
- States should adopt a comprehensive public policy approach to tackling forms of intolerance and prejudice of which manifestations of online harassment and abuse are symptomatic of. They must take action to counter discriminatory attitudes and norms and create an enabling environment where all women can fully participate in society.
- State officials should publicly, unequivocally and systematically condemn attacks against journalists, women journalists, and against those who exercise their right to freedom of expression, and should refrain from making statements that are likely to increase the risks that put women journalists in situations of vulnerability.
- Different regulatory measures should be adopted to tackle online gender-based harassment and abuse. Any regulation restricting or limiting the right to freedom of expression should comply with the three-part test under Article 19(3) of the ICCPR; while criminal law should be used in exceptional circumstances when online harassment and abuse reaches certain severity, such as causing serious harm.
- In cases where online gender-based harassment and abuse reach the level of severity prohibited under criminal law, States are obliged to inter alia undertake a prompt, expeditious, thorough, diligent and comprehensive investigations in a manner guaranteeing sufficient public scrutiny.
- States should adopt practical measures such as dedicated institutional resources, capacity and training to enable the legal system to deal with online gender-based harassment and abuse, and adequately resource them.
- States should improve reporting and monitoring of gender-based harassment and abuse, both offline and online, and include them in national statistics and measures to address equality and discrimination.
- States should also adopt holistic and well-resourced prevention and response mechanisms together with the private sector and civil society.

ARTICLE 19 also recommends states to ensure a human rights based approach in the design, development and use of biometric technologies and AI to address discriminatory impacts of such technologies.<sup>45</sup>

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<sup>44</sup> See ARTICLE 19, [Investigating online harassment and abuse of women journalists](#), November 2020. Also see OSCE, [Safety Of Female Journalists Online: A #Sofjo Resource Guide](#), 2021.

<sup>45</sup> *Op. cit.*

As for measures related to addressing the Covid-19 pandemic, ARTICLE 19 believes that it is not enough that governments maintain their existing transparency obligations; rather, as set out earlier, they have obligations under international law to make information about the crisis and actions they are taking publicly available. Governments should make exceptional efforts to proactively publish:

- Information about violence against women and LGBTQI people, including data on reports and statistics.
- Information with a gender perspective in indigenous languages where appropriate aimed at women and minors who are victims of domestic violence, including hotline numbers, available care facilities, protective measures, and penalties for offenders. Public authorities should always respect and take into consideration the spiritual and religious beliefs, uses, and customs of the indigenous communities when designing and approving measures to prevent and mitigate the outbreak. They should specifically address these groups, ensuring the free, prior, and informed consent of the indigenous communities on the measures adopted to address the pandemic that is directly impacting their members.

## **9. The role of internet intermediaries in protecting women's right to freedom of opinion and expression and making the online space safe for women**

### Online harassment and abuse: Recommendations to social media platforms

ARTICLE 19 has set out a number of recommendations to social media companies, notably Facebook, Twitter and YouTube, in order for them to better respond to and address online harassment and abuse.<sup>46</sup> We recommend social media companies should:

- Develop dedicated sections on gender-based harassment and abuse in their policies and community guidelines that are easily accessible and available in local languages.
- Increase transparency regarding the methods and internal processes for the elaboration of policies and community guidelines, their use of algorithms and on the complaints mechanism.
- Undertake human rights and gender discrimination impact assessments.
- Improve their internal redress mechanisms, respecting due process safeguards.
- Notify their decisions to affected parties and provide sufficiently detailed reasons for the actions they take against particular content or accounts.
- Consider further partnering with women journalists and civil society groups to develop practical strategy of research-focused and community-lead solutions on gender-based harassment and abuse.
- Consider joining or improve their engagement in multi-stakeholder regulatory bodies such as social media councils, that would allow better public oversight of their practices, including in the area of gender-based harassment and abuse.

## **10. The role played by legacy media in aggravating the challenges women face in exercising their freedom of expression and what media can do to empower women and make the public space safe for them, especially for women journalists**

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<sup>46</sup> See ARTICLE 19, [Online harassment and abuse against women journalists and major social media platforms](#), November 2020

ARTICLE 19 believes that media have an important role in promoting gender equality and non-discrimination, in covering violence against women, enabling platforms for women's perspectives, reporting more on women's experiences, and ensuring that discrimination against women journalists is tackled.

Media outlets should<sup>47</sup>:

- Improve the workplace culture with comprehensive policies on both safety and gender. This includes addressing the existence of discriminatory cultural norms; conducting safety audits including of digital safety; developing guidelines on preventing and responding to attacks from within and outside the workplace; implementing workplace policies which support gender equality; and adapting editorial guidelines to promote gender equality in media content.
- Ensure support and training to journalists facing online harassment and abuse. This includes media owners, managers and editors providing support to women journalists in reporting attacks; providing training on holistic protection to women journalists, including digital security training; training journalists on addressing gender bias and stereotypes in their reporting; ensuring diverse representation of women in media outlets and outputs; and training to staff on gender-based violence and online harassment.
- Develop gender-responsive community guidelines for their interactive online platforms;
- Monitor and document online abuse and harassment of female journalists, including freelancers.

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<sup>47</sup> Safety Of Female Journalists Online: A #Sofjo Resource Guide *Op. cit.* p163



## Appendix - Information about Mexico and Central America

### 1a) What barriers, challenges and threats do women in the public sphere face in exercising their freedom of opinion and expression online and offline?

ARTICLE 19 México and Central America a (ARTICLE 19 MX/CA) ha documentado cómo en el espacio cívico, mujeres son víctimas principalmente de amenazas, acoso, revictimización y discriminación.

#### México:

- En México, ARTICLE 19 ha documentado uso excesivo y arbitrario de la fuerza, detenciones arbitrarias y estigmatización. Por ejemplo, en 2020, ante las exigencias de mujeres y colectivos por poner fin a la violencia de género y reducir la impunidad en los crímenes contra las mujeres e investigar los feminicidio el presidente Andrés [Manuel López Obrador decidió minimizar las exigencias de justicia calificando a las mujeres de “conservadoras”](#) e, incluso estigmatizó a las mujeres declarando que las formas de expresión en el espacio cívico eran “violentas” y que esas no eran las formas.
- La apropiación del espacio cívico por parte de las mujeres se da ante el incremento de violencia contra ellas. [En 2020 se registraron 3825 asesinatos de mujeres, es decir, un promedio de diez muertes violentas al día. Asimismo, cifras del gobierno federal reportan que más de la mitad de las mujeres mexicanas han sufrido de violencia alguna vez en su vida.](#)
- La situación de las mujeres periodistas es particularmente preocupante. En 2020, ARTICLE 19 MX/CA registró 207 agresiones contra mujeres periodistas en relación con su trabajo. Esto representa el 29,91% del total de agresiones de ese año y un aumento del 23,9% respecto a 2019.

#### Honduras:

- Las mujeres periodistas en Honduras enfrentan la violencia patriarcal en sus espacios de trabajo. Esto se expresa en el acoso y la subestimación que sus colegas ejercen en su contra por considerar que no son aptas para hacer el trabajo periodístico.
- Dentro de las salas de redacción, las mujeres son sujetas a ataques verbales que van desde comentarios sobre su vestimenta, sus cuerpos, hasta discriminación por preferencias sexuales distintas a la heterosexual. Por ejemplo: Wendy Funes, de Reporteros de Investigación, expresa sobre este tema: “Lo que pasa con las periodistas es que siempre quieren agarrar el tema sexual para desprestigiarlas o, a veces, puedes decir que si son críticas tienen determinada orientación sexual, entonces, quieren desprestigiarlas por su orientación sexual. Existe el caso de una compañera que corrieron de su trabajo porque su imagen desnuda andaba circulando en las redes de comunicación, porque alguien la filtró” (ARTICLE19, entrevista con Wendy Funes, 26 de febrero al 5 de marzo de 2020).

#### Cuba

- En el caso de Cuba, es necesario mencionar el caso de las integrantes del Movimiento 27N, Ileana Hernández y Tania Bruguera, quienes han sido atacadas en los medios públicos de comunicación mediante campañas de desprestigio. Estas campañas buscan criminalizar y promover acciones legales contra ellas y vincularlas a un plan maestro realizado en EEUU para desestabilizar al gobierno cubano.
- Otro caso paradigmático fue la detención de la periodista del Instituto Cubano para la Libertad de Expresión y Prensa (ICLEP) Mary Karla Ares González, ocurrida el 30 de abril de 2021. Fue detenida en medio de una protesta pacífica, que buscaba visibilizar la situación de Luis Manuel Otero Alcántara, activista que en ese momento estaba recluido en un hospital, así como los constantes actos represivos contra la libertad de

expresión. Estaba cubriendo la protesta. En la detención participaron agentes de la Secretaría de Seguridad del Estado vestidos de civil y uniformados de la Policía Nacional Revolucionaria y de las Tropas de Prevención. En el caso de esta última, se trata de un cuerpo policial militar que viene desarrollando funciones de orden público, desde marzo de 2020, en el marco del enfrentamiento con COVID-19

- Durante el transcurso de los cinco primeros meses del 2021, ARTICLE 19 MX/CA documentó contra las mujeres periodistas, 142 agresiones, entre las que destacan: arrestos domiciliarios (106), detenciones arbitrarias (21) y agresiones físicas (7). En el caso de mujeres activistas el número de las agresiones alcanzó las 125, repartidas principalmente en arrestos domiciliarios ( 80) y detenciones arbitrarias con 32.

#### **Guatemala:**

- El uso del aparato estatal para atacar periodistas es una forma de amedrentamiento constante, provocando un efecto inhibitor del ejercicio periodístico. Actualmente los índices de impunidad de las agresiones contra periodistas son muy elevados.
- De enero a junio de 2021 se han documentado 43 ataques contra periodistas en Guatemala, según cifras del Ministerio Público y de la Asociación de Periodistas de Guatemala.
- Resalta como un ejemplo de la criminalización de la labor informativa en Guatemala el caso de Anastasia Mejía. La Policía Nacional Civil arrestó a Mejía el 22 de septiembre de 2020 por su presunta participación en una manifestación pacífica realizada el 24 de agosto por un grupo de pobladores en el municipio de Joyabaj, departamento del Quiché, en la región central del país. Mejía, una comunicadora indígena maya k'iche' y directora de la emisora Xol Abaj Radio y de Xol Abaj TV, había informado en directo sobre los acontecimientos en la página de Facebook de Xol Abaj TV. Aunque Mejía actualmente se encuentra en libertad, enfrenta acusaciones penales serias simplemente por ejercer su trabajo y mantener informada a su comunidad.
- Otras periodistas han denunciado un incremento de ataques digitales en su contra, en la mayoría de casos, por sus trabajos de investigación periodística sobre violencia contra las mujeres, publicado en el medio de comunicación Nómada. Los ataques provienen de diversos perfiles, pero en la mayoría son hombres, que utilizan palabras denigrantes, de burla y de amenaza. Con estas acciones buscan poner en duda la credibilidad y la ética de ellas y su trabajo periodístico.

#### **1b) What are the distinct challenges faced by those who experience multiple and intersecting forms of discrimination?**

- En América Latina la discriminación interseccional es uno de los mayores retos para las mujeres y otras identidades género ubicadas en situación de vulnerabilidades, esto como consecuencia directa de la discriminación estructural, y en el contexto de México, el Caribe y Centroamérica la discriminación interseccional debe ser entendida como un producto histórico del cruce inseparable entre el colonialismo (racismo) y el patriarcado (género).
- Por ejemplo, en Guatemala la periodista indígena Anastasia Mejía Tiríquiz además de ser detenida de forma arbitraria se violaron sus derechos a un debido proceso, pues estuvo detenida por más de cinco semanas siendo que la ley guatemalteca dispone que se debe celebrar una audiencia inicial en un plazo de 24 horas luego del arresto de un individuo, la audiencia de Mejía se fijó para el 8 de octubre, más de dos semanas después del arresto.
- También en contextos de detenciones arbitrarias a mujeres periodistas y activistas en la región, ARTICLE 19 MX/CA conoce de casos donde durante detenciones, solo mas mujeres son víctimas de tocamientos indebidos y violencia sexual por parte de las instancias de seguridad.

### 1c) How have the pandemic, economic crises and recent political unrests affected women's ability to communicate, protest and access information online and offline?

#### México:

- Si bien el riesgo sanitario fue un punto de quiebre para que muchas mujeres comencarán a utilizar recursos alternos para difundir, reunirse, informarse e, incluso, sincronizar acciones valiéndose de internet. En este escenario, las TIC potenciaron la comunicación, la información y el conocimiento de las protestas que sucedían en diversas entidades federativas. Sin embargo, se para las comunidades indígenas fue complicado ejercer su derecho a protesta en el ámbito o espacio digital pues enfrentan otras complejidades tanto de despliegue de infraestructura así como de otros servicios básico y fundamentales como es el caso de la luz y las excesivas tarifas para adquirir una ficha para conectarse a una red de internet.
- Las consecuencias de la crisis por COVID-19 son diferentes para las mujeres indígenas, rurales y afrodescendientes en América Latina y el Caribe. La documentación realizada por ARTICLE 19 MX/CA evidenció que: a) La información publicada por las autoridades no está en lenguas indígenas, en un lenguaje muy técnico, y en algunos casos, llegó de manera tardía. b) Los medios y formatos difusión de la información no fueron culturalmente pertinentes, ya que en muchas comunidades rurales e indígenas no hay acceso a Internet, señal de televisión, o no cuentan con recursos tecnológicos; c) Las mujeres se encuentran en mayor desventaja, debido a la carga de cuidados de trabajo no remunerado y a la desigualdad económica; sucede lo mismo con los adultos mayores debido al analfabetismo, y d) Se siguieron realizando actividades no esenciales relacionadas con el Tren Maya, como consultas a las comunidades, a pesar de las restricciones de distanciamiento social.

#### Cuba

- En los últimos meses el Departamento de Seguridad del Estado (SE) ha amenazado, multado y decomisado equipos de trabajo a periodistas independientes, reporteras, comunicadores y artistas en virtud del Decreto ley 370. Este decreto establece que se considera una contravención asociada a las tecnologías de la información y la comunicación "difundir, a través de las redes públicas de transmisión de datos, información contraria al interés social, la moral, las buenas costumbres y la integridad de las personas"
- La periodista Camila Acosta, quien ha sido víctima del Decreto Ley-370 con una serie de citaciones, una multa de 3000 pesos cubanos y un señalamiento de tener COVID-19, por parte de agentes del Departamento de Seguridad del Estado, escribió una columna en el medio independiente Cubanet, donde narra uno de los episodios del proceder del Estado cubano sobre sus coberturas de la pandemia: "O te vas del país o me voy a convertir en tu peor pesadilla", me dijo uno de los esbirros de la Seguridad del Estado durante un interrogatorio en el que me intimidó con consecuencias para mi familia si no dejaba de escribir y de denunciar públicamente al gobierno. ["Te vamos a condenar a prisión porque el periodismo independiente no está reconocido por las leyes cubanas, estás usurpando funciones públicas, pero lo que te vamos a aplicar es un delito común porque en Cuba no hay prisioneros políticos"](#).

#### Honduras

- La pandemia dio una justificación para reformas legislativas restrictivas de derechos, tal es el caso del nuevo Código Penal que entró en vigor a finales de junio de 2020, el cual contiene una serie de disposiciones que criminalizan el ejercicio periodístico. Por ejemplo el artículo 307 establece que: "Quien causa, introduce o propaga una epidemia humana mediante la difusión de agentes o gérmenes patógenos, debe ser castigado

con la pena de prisión de seis a diez años y multa de trescientos a quinientos días”. Esta disposición se suma a otras que en este contexto, donde las personas se manifiestan a causa de la falta de insumos básicos, causando serias complicaciones al derecho a la protesta y a la libertad de expresión.

- Del mismo modo, el artículo 413 considerará la difusión de noticias o rumores económicos “fa-sos” como un delito que ameritaría una pena de 2 a 4 años de prisión. Por otra parte, revelar información que pudiera ayudar a la investigación de actos de corrupción o violaciones de derechos humanos, siendo funcionario o empleado público, puede ser castigado con penas de prisión, multas económicas e inhabilitación.

## **2) Can you provide examples or information on ways in which freedom of opinion and expression has been abused or appropriated to undermine women’s human rights?**

### **México:**

- Durante las movilizaciones feministas de 2020, el Estado mexicano cometió diversas agresiones, detenciones y un discurso institucional que criminalizó a las manifestantes. Por ejemplo, [en las marchas feministas del 8 de marzo de 2020](#),<sup>1</sup> ARTICLE 19 MX/CA documentó 8 agresiones en el transcurso de la movilización. Seis fueron contra periodistas (4 mujeres y 2 hombres) y 2 contra defensoras de derechos humanos. De éstas, 6 son ataques físicos (4 fueron lesiones por quemaduras y 2 lesiones derivadas del uso de gas y extintores), 1 amenaza contra la integridad y 1 detención arbitraria. Estos ataques ocurrieron en un contexto de malas prácticas policiales que dieron lugar a violaciones al derecho a la protesta y libre movilización, por ejemplo, uso de gas lacrimógeno y polvo químico seco, así como lesiones físicas. La presencia de policías varones en la movilización, además de contravenir acuerdos previos, generó tensiones entre las manifestantes y los elementos de seguridad pública, poniendo en riesgo el desarrollo de la protesta.
- Otro ejemplo ocurrió en el marco de las protestas #28S en la Ciudad de México, la jefa de Gobierno, Claudia Sheinbaum, emitió declaraciones estigmatizantes y que ponen en riesgo la integridad física y emocional de las manifestantes, al exponer públicamente, durante una conferencia virtual, a dos personas que supuestamente aportaron financiamiento para la toma de la sede de la Comisión Nacional de Derechos Humanos (CNDH). Además, criminalizó a las mujeres que efectuaron la protesta: “La causa es justa..., pero lo ponemos a consideración de la opinión pública, de la ciudadanía, de los medios de comunicación, ¿será una casualidad o por qué hay un vínculo directo de apoyo a esa toma de la CNDH?”<sup>1</sup> Este reclamo criminalizante se reprodujo a través de varias plataformas digitales. Para ARTICLE 19, “resulta grave y condenable que las autoridades empleen el *doxing*”<sup>1</sup> en sus cuentas oficiales de redes sociales con la intención de exponer a las activistas o manifestantes. Es lamentable que las autoridades de la Ciudad de México utilicen esta forma de violencia digital para divulgar y compartir información de alguna persona u organización con el objetivo de identificar, intimidar o amenazar. Finalmente, la jefa de Gobierno concluyó su mensaje digital incitando a los medios de comunicación a “seguir investigando los supuestos vínculos entre estas personas y las mujeres quienes se han apropiado del espacio cívico”.

### **Cuba:**

- Las mujeres periodistas en Cuba han sido expuestas al escarnio público a través de los medios públicos de comunicación. Por ejemplo, en el segmento Razones de Cuba, presentado por el conductor de la televisión pública Humberto López, se han mostrado [imágenes de integrantes del Movimiento San Isidro](#) incluyendo a mujeres periodistas como Iliana Hernández o Camila Acosta, quienes en conjunto con activistas y artistas

son señaladas por formar parte de una conflagración pagada por el gobierno de Estados Unidos encaminada a desestabilizar al gobierno.

- También se han usado estos medios de comunicación públicos para minar la imagen de mujeres artistas críticas como [Tania Bruquera](#), quien ha sido señalada desde dichas tribunas por participar presuntamente [en un complot para desestabilizar al gobierno de Cuba](#).

**10. What role has legacy media played in aggravating or addressing the challenges women face in exercising their freedom of expression? What do you think the legacy media can do to empower women and make the public space safe for them, especially for women journalists?**

**México y Centroamérica:**

- Los medios tradicionales han perpetuado los estereotipos de género, perpetuado la violencia contra las mujeres, y han mantenido un sistema patriarcal al interior que privilegia a los roles masculinos y limita no sólo la contratación de más mujeres en el gremio, sino que también limita la participación de las mujeres como líderes y perpetúa violencia al interior de las empresas mediáticas.
- Es fundamental que se creen al interior de los medios de comunicación protocolos para atender situaciones de discriminación o acoso por razones de género.
- Es necesario que los medios de comunicación cuenten con capacitaciones sobre la violencia que se ejerce no sólo al exterior de los medios de comunicación hacia las mujeres periodistas sino al interior de estos.

**Cuba:**

- Debido a la rectoría del Estado sobre los medios de comunicación tradicionales, el impacto sobre la capacidad de las mujeres para ejercer su libre expresión ha sido totalmente negativa en tanto que cualquier opinión crítica queda marginada de su difusión. Por otra parte, los medios de comunicación independientes con discursos críticos suelen ser atacados en los medios de comunicación tradicionales y autorizados por el gobierno. Los medios tradicionales sólo podrán contribuir al ejercicio de la libre expresión de las mujeres en tanto que logren dejar de depender del Estado como censor de sus contenidos y desarrollen discursos que favorezcan el ejercicio de ese derecho.