Contribution for Special Rapporteur on the promotion and protection of freedom of opinion and expression - report on the right to freedom of opinion and expression and gender justice

I. Barriers and Challenges

Overview

Women in the public sphere, offline or online, risk being targeted for gendered harassment, abuse, and violence that seeks to make their participation in the public space difficult or impossible. The more public visibility a woman has, the more she is exposed to these risks. Recently, research and advocacy efforts have concentrated more and more on how these gendered dynamics limit women's access to digital public spaces. In the same way that offline harassment constrains women's access to physical public spaces, online harassment limits women's access and ways of existing in the digital realm. Quantitative surveys [consistently show] that women tend to experience higher rates of online harassment than men.

Women journalists are specifically vulnerable to online and offline attacks while carrying out their professions, being targeted both as women and as journalists. Gender-specific safety risks such as sexual harassment, sexual violence and threats of violence have an adverse impact not only on their right to freedom of opinion and expression, but also on other fundamental freedoms for women such as political and public participation and access to information. Threats and harassment can lead to self-censorship which raises concern about the representation of women's voices and perspectives in the public sphere, including the media.

In April 2021, UNESCO published a [discussion paper] on the findings of two-year global study on online violence faced by women journalists[1]. The study, carried out by an international consortium of researchers led by the International Center for Journalists (ICFJ) includes a global survey involving over 900 participants from 125 countries. It is also based on case studies covering 15 countries; long-form interviews with 173 journalists and experts; as well as two big data case studies assessing over 2.5 million social media posts directed at two prominent women journalists Maria. The survey found that 73% of women journalist respondents said they had experienced online violence and that 30% stated that they self-

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[1] The full study including effective measures in countering online violence against women journalists is to be published later this year.

censored on social media as a result of the online harassment. The discussion paper showed that women journalists were often targeted by orchestrated, politically motivated campaigns triggered by their reporting and designed to silence them. These campaigns have real-life impacts: 20% of survey respondents reported experiencing abuse and attacks offline that they believe were linked to online threats.

The UNESCO discussion paper found that other factors such as race, sexual orientation, religion, and disability, intersected with gender in creating additional exposure to online attacks, with worse impacts. While 64% of white women journalists answered in the survey that they had experienced online violence, that percentage increased to 81% for Black women journalists who responded, 86% for women respondents identifying as Indigenous, and 88% for Jewish women journalists. A similar pattern can be seen when analyzing the survey data through a sexual orientation lens: while 72% of heterosexual women indicated they had been targeted in online attacks, the rates of exposure for those identifying as lesbian and bisexual women were much higher - standing at 88% and 85% respectively. In numerous interviews from all over the world, women journalists recounted missing beats, self-censoring on their reporting of certain topics, facing pressure from employers or family, and in some cases leaving journalism altogether.

Traditional or Legacy Media

"Traditional" or legacy media remains an important pillar in ensuring the continued production of quality journalism and the flow of public information. However, the media sector at large is characterized by a number of structural dynamics informed by technological and socioeconomic changes that often introduce challenges for women journalists, in particular those belonging to marginalized groups: those challenges include achieving senior positions in the news rooms, facing different forms of harassment by colleagues, interviewees and audience, or being assigned only to coverages that are perceived as "women's issues". Traditional understandings of masculinity persist in and are disseminated by the media industry, and constitute a barrier for gender equality in different contexts. While big media outlets may have safety tools and measures in place to help protect journalists from threats and abuse, these are not always distributed equally within their organizations. Upper management in newsrooms do not tend to demographically represent the wider public their publications serve – a consistent finding across multiple cultural contexts. This means that issues that affect marginalized journalists, including women, are often less likely to be prioritized at the decision-making level. Freelance journalists, fixers, outsourced staff, and others lacking the protection of the newsroom structure are often the most vulnerable. Issues of precarity thus tend to intersect with other threats compromising the freedom of

expression of (women) journalists, making it difficult for many journalists to continue safely in the profession.

Legacy media newsrooms could use their relatively more extensive resources to develop protocols and tools designed to help the particular challenges facing women journalists and to make sure that these are extended to all journalists contributing to their organization (including freelancers). Legacy media outlets can also play a particular role to set good examples and signal to the entire media industry that gender-based harassment and violence (offline and online) need to be taken seriously. Several civil society organizations have developed guidelines for newsrooms specifically on online harassment: IPI and PEN are two examples. UNESCO is also cooperating with the Thomson Reuters Foundation to produce a set of concrete and actionable guidelines for newsrooms to address gender-based violence and harassment within their organizations. These guidelines stress that newsrooms should involve all members of their organization to identify needs and opportunities for support. UNESCO is also committed to addressing the root causes of gender discrimination, including by focusing on the representation of masculinities in the media industry.

COVID-19

As with many other social problems, the COVID-19 pandemic has exacerbated existing dynamics rather than created new ones. Due to the pandemic-induced reliance on online spaces for communication, a rise in online abuse against women has become one of many "shadow pandemics". Online violence against women journalists in particular also appears to be on the rise. In a global survey, conducted in 2020 by ICFJ and the Tow Center for Digital Journalism at Columbia University as part of the Journalism and Pandemic Project, 16 percent of women respondents said online abuse and harassment had become "much worse than normal."

II. UNESCO's Actions

Overview

UNESCO, as the UN agency with the mandate to protect freedom of expression, has a central role to play in advocating for the right to freedom of opinion and expression, including of women. Gender equality is a global priority for UNESCO and we work to reflect this perspective in our policies, programmes and processes. The UN Plan of Action on the Safety of Journalist and the Issue of Impunity, which has been welcomed by the UN General Assembly, was developed in

2012 to coordinate the efforts of actors both within and outside of the UN system in promoting a safer environment for journalists worldwide. It recognizes the need to employ a gender-sensitive approach in this area. The outcome document of a 2017 multi-stakeholder consultation on reinforcing the implementation of the aforementioned UN Plan of Action includes a number of recommendations to Member States, civil society and media actors to address specifically attacks against women journalists. Among others, it calls on Member States to "take action against discrimination and violence against women journalists, including sexual violence, online and offline, and ensure training and awareness-raising" on these issues.

In the last year, UNESCO has stepped up its efforts to address the gender dimensions of journalists' safety. This is in line with General Conference 39C/Resolution 39 which invited the UNESCO Director-General to "reinforce activities (...) aimed at addressing the specific threats to the safety of women journalists, both online and offline".

UNESCO supports research on the issue of women journalists' safety to support evidenced-based policy decisions. The last edition of the global report issued within UNESCO's World Trends in Freedom of Expression and Media Development series contained a chapter dedicated to challenges faced by women journalists, including the problem of online harassment[2]. This adds to the aforementioned flagship discussion paper, launched by UNESCO on April 2021.

Additionally, UNESCO monitors cases of killings of journalists disaggregated by sex , and fights impunity by requesting concerned Members States to report to UNESCO on an annual basis on the status of the judicial enquiries into each killing. This data is available on UNESCO's Observatory of killings of journalists and is used for reporting on Sustainable Development Goal indicator 16.10.1, on the safety of journalists[3].

States and judicial actors

According to UNESCO's World Trends in Freedom of Expression and Media Development 2017-2018 report, women journalists encounter threats to their physical safety, such as assault, sexual assault, rape and even murder. States and judicial systems across the world are adapting to this reality at very different paces, most of them struggling to establish a clear line between what constitutes harassment or freedom of speech. States should place a greater emphasis on the "3

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[2] The next global report will be launched in late 2021.
[3] Indicator 16.10.1: "Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months"

Ps" to ensure women journalists can work safely and freely: Prevention, Protection and Prosecution. As such, States must strengthen the role of judiciary and law enforcement systems in investigating, prosecuting and punishing crimes and attacks against women journalists, by adopting and mainstreaming a gender-sensitive approach in their work.

Judicial actors, such as prosecutors, judges, lawyers and magistrates, must devote particular attention to the specific nature of threats, harassment and intimidation faced by women journalists, both online and offline. To that effect, States should raise the capacities of judicial actors and law enforcement authorities to reinforce international human rights frameworks and existing criminal legislation while tackling gender-based attacks.

To that effect, since 2013, UNESCO, through its Judges Initiative, has provided specialized training programmes, tools and resources on international and regional standards on freedom of expression to judicial actors from across the world (more than 18,000 to date). Most recently, UNESCO and the International Association of Prosecutors (IAP) published jointly Guidelines for prosecutors on cases of crimes against journalists, which notably recommend that prosecutors conduct a gender analysis of the underlying power relationships and other gender dynamics while charging a crime committed against women journalists. Such contextual analysis can determine whether gender-based discrimination may be considered a factor or motive in the crime. In the context of online attacks and abuses, any threat to the life or physical integrity of women journalists, including rape threats, must be prioritized for prosecution, as provided in the UNESCO Toolkit for the Judiciary in Africa. As such, gender-sensitive investigative procedures must be put in place, in order to encourage women journalists to report attacks against them and avail adequate support, including psychosocial support, to victims and survivors. UNESCO also worked with the Judiciary in Costa Rica to ensure a gender-responsive justice that protects women and seeks the active engagement of men, including in and through the media.

UNESCO is also integrating the gender dimensions of safety in its capacity building activities for judicial actors in Latin America and in Africa on freedom of expression and safety of journalists, whereby several thousands of members of the judiciary have been trained through Massive Open Online Courses. Well-informed judicial actors and law enforcement authorities, who are familiar with online platforms and terminologies, as well as gender-specific threats faced by women, are enabled to ensure timely investigation, and effective prevention and protection measures for women journalists.

When dealing with the challenges faced by women journalists, including online, judicial actors must ensure that gender dimensions are given due consideration while exercising caution to not unjustifiably limit the right to freedom of expression when dealing with this issue. In doing so, States can uphold the rule of law and facilitate women journalists' access to a conducive, safe and free environment for them to exercise their profession and for their public participation.

Gender mainstreaming is also at the core of UNESCO's efforts when facilitating the creation of national multi-stakeholder mechanisms for the safety of journalists. As an example, UNESCO is supporting the Global Alliance of Media and Gender (GAMAG) in mainstreaming gender in national mechanisms for the protection of journalists in Mexico, Afghanistan and Iraq. The project includes analysis of national legal frameworks, reporting on types of gender-based violence against women journalists, evaluation of national protection mechanisms regarding their gender-responsiveness and concrete proposals on how to adapt the existing protection mechanisms.

UNESCO works to foster policy dialogue with Member States and other stakeholders on the issue of safety of women journalists. Concerted efforts between a range of actors are necessary to address these challenges effectively. It is with this aim in mind that UNESCO organized in June 2019, together with Member States from the Group of Friends for the Safety of Journalists at UNESCO, a conference titled "Standing up against online harassment of women journalists – What works?". The meeting brought together over 200 participants, including many representatives of Member States, and featured a range of prominent women journalists, experts from Twitter, *The Guardian* and *Libération*, as well as prosecutors and lawyers dealing with cases of online harassment. In March 2021, UNESCO and the Group of Friends for the Safety of Journalists also organized a conference exploring best practices for the role of the judiciary to foster safety of journalists, with a particular focus on tackling gender-based violence and the difficulties that women journalists face when seeking justice. Additionally, at the 2021 session of the 65th session of the Commission on the Status of Women, UNESCO along with ARTICLE 19, the OSCE, and several Member States, organized a session on online harassment of women journalists.

News Organizations and Journalists

UNESCO's Gender-Sensitive Indicators for Media are applied by media organizations across the world to gauge gender sensitivity in media operations and content and provide a means to

measure progress. Several indicators assess the level of safety in the working environment in which female and male journalists operate.

As regards capacity building, UNESCO provides women journalists with training on safety-related issues and their rights, both online and offline, with a specific emphasis on digital safety. The purpose of these activities is to empower women journalists to better protect themselves against attacks and have an improved understanding of how to deal with situations of harassment at work and online. By sensitizing media managers to these issues, UNESCO also aims to improve the workplace culture and "de-normalize" behaviours that contribute to the harassment of women journalists. UNESCO is also working with media managers to provide inputs on the elaboration or strengthening of gender-sensitive safety policies within media organizations.

UNESCO has also supported the development of various safety handbooks and course dealing with the gender dimensions of safety, including:

● The latest edition of the [Safety Guide for Journalists: A handbook for reporters in high-risk environments](#), developed with Reporters Without Borders, which focuses on gender-specific threats, both offline and online.

● A handbook by the International Association of Women in Radio's publication, [What if…? Safety Handbook for Women Journalists,](#) which provides practical tips for women journalists on minimizing risks while covering sensitive and dangerous assignments.

• A joint Massive Open Online Course with IWMF and the Knight Center called [“How to Report Safely: A Guide for Women Journalists and their Allies”](#). Nearly 1,200 students from 120 countries registered to participate in the free instructor-led course, which focused on safety planning, mitigating risk and self-care. A self-directed version of the MOOC will be made available soon.

• (Forthcoming) Guidelines for newsrooms and media managers on how to integrate a gender-sensitive and gender-responsive approach in their safety policies. Developed with the Thomson Reuters Foundation, they reference numerous examples of best practices and various specialized resources.

• (Forthcoming)A practical guide for women journalists on how to deal with online harassment, including from a legal perspective. Developed with the Thomson Reuters Foundation, this guide is informed by a comparative legal analysis and the best practices identified in various countries.

III. Examples of Good Practices

A gender-responsive approach to protecting freedom of expression can be implemented into National Action Plans and other policy measures. For example, the Swedish national action plan [Defending Free Speech: Measures to Protect Journalists, Elected Representatives and Artists from Exposure to Threats and Hatred](#) (2018) recognized the need to integrate journalist safety plans into the national gender strategy and the need to ensure a gender-responsive approach by key actors, including the judiciary. As another example, Colombia is the first country worldwide to develop a national protection mechanism for journalists that includes a dedicated women's protection committee.

Several of UNESCO's partners have developed recommendations and guidelines outlining best practices for a wide range of actors. The Organization for Security and Co-operation in Europe (OSCE) has developed [a guide with recommendations](#) (2020) for promoting the safety of women journalists, targeting a variety of stakeholders. [PEN America has also produced a guide](#) on combatting online harassment, targeting internet intermediaries. UNESCO's final study on online violence against women journalists, to be launched in September 2021, will include evidence-based recommendations, addressing the range of stakeholders that should be involved in tackling this issue – from policy makers to social media platforms, through media organizations and law enforcement actors.