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"

The Gender Digital Divide and Freedom of Expression and Information

Barriers that women and girls face in accessing digital technologies and participating in digital life are fundamentally rooted in discrimination and barriers that women and girls have historically faced offline. While Internet users may be generally diverse, those who build and oversee it are more homogenous. The Internet—its architecture, hardware and software—is overwhelmingly created, legislated and governed by men and therefore is inherently biased. The bias also sits in favour of a Western context. The impact that is women and girls, particularly those living in lower-income countries, are faced with structural and systemic obstacles to exercising their right to freedom of expression online.

The top Internet and technology companies are highly imbalanced when it comes to gender demographics, with some available company statistics reflecting as little as 23% of employees comprising of women, with the highest being 42%, and the percentages dwindling further when assessing women in leadership positions or technical roles.[1] Recent reports have pointed to heavily male-dominated cultures within technology companies, with women engineers coming forth with accounts of harassment, intimidation and repercussions to their career advancement when reporting on such incidents.[2] A 2017 report that surveyed over 200 women in technology primarily in Silicon Valley showed that over 90% of respondents have witnessed sexist behaviours, 75% were asked about family life and marital status during interviews, and 60% have reported unwanted sexual advances.[3] Such a culture discourages, prevents and penalizes women for partaking in and seeking to shape the technology sector. There is also no business case for such a systematic lack of female representation in the tech sector. Decades of research into the topic have demonstrated repeatedly that companies with more gender equity perform better, both in terms of shareholder value and risk management.[4]

To elucidate how this plays out in the "real world" for women Internet users, technology-related (tech-related) violence against women (VAW) has risen sharply over the past few years, resulting in women exercising self-censorship or refraining from the use of information and communication technologies. This especially impacts women who rely upon the Internet to conduct their work, or who are highly visible online as a result of their work. Nearly 75% of women online have been exposed to some form of tech-related violence,[5] and the amount of abuse, bullying, and harassment across the Internet has risen sharply over the past few years.[6] Two forms of tech-related VAW are cyber-stalking and doxing.[7] Internet governance bodies have a significant role to play in the types of information that is made publicly available, such as

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[1] DeAmicus and Carson, "Eight charts that put tech companies' diversity stats into perspective", *Gigaom*, gigaom.com

[2] Levin, "Engineer says Uber hired firm to investigate her after she reported sexual harassment", *The Guardian*, www.theguardian.com/technology

[3] "Elephant in the Valley" https://www.elephantinthevalley.com/

[4] **Kellie McElhaney**, UC Berkeley-Haas Business School, "The Business Case for Gender Diversity." http://executive.berkeley.edu/thought-leadership/blog/business-case-gender-diversity

[5] UN, Combatting Online Violence Against Women & Girls: A Worldwide Wake-Up Call , 2015: www.unwomen.org

[6] Twitter policy blog, Progress on addressing online abuse, November 16, 2016: blog.twitter.com

[7] The practice of broadcasting private or identifiable information about women over the Internet (such as their address, phone number, email addresses, etc.).

domain name registration details, unbeknownst to the general Internet user.[8] There is potential for these types of repositories to hold sensitive information about women that can later be doxed or enable cyber-stalking or lead to offline violence as well.

Another example of how such male-biases in the technology sector directly inhibit the ability of women and girls to exercise freedom of expression is on content-moderation on social media platforms. Social media giants such as Facebook have come under scrutiny over the implementation of its policy on the prohibition of nudity or sexually explicit content on their platforms. Recently there have been removals of photos displaying female breasts, which has led to censorship of information on sexual and reproductive health, activism and artistic expression, amongst others.[9]

In addition, company content moderation practices are highly opaque and there is a concern that algorithms and machine-learning programmes are engineered to reflect the biases of society.[10] Researchers have found that large computational data sets started to associate neutral words like "programmer" closer to the word "man" and "homemaker" to "women," and some artificial intelligence programs to rank information about female programmers below that of male programmers.[11] This means that information women input online has the risk of being mathematically considered "less relevant" than that inputted by men, or that targeted algorithmic online content might further empower male voices while muffling female voices.

The deep implication of the Internet being largely built by male engineers is that the digital landscape is inherently divided and not gender neutral. It not only reflects historical inequalities, but runs the risk of further deepening discrimination against women (and other marginalized or at-risk groups) in a more insidious manner. As the world becomes increasingly digitized, this has serious ramifications on the ability of women to express themselves, participate in public life and decision-making, share and impart information, and to gain equality online and offline.

ARTICLE 19

ARTICLE 19's mission is to defend freedom of expression and information as essential human rights both online and offline. With nine offices globally, we are able to link international advocacy leadership with country-level activities to enhance the reach and effectiveness of both. In addition to co-chairing the Human Rights Protocol Consideration Research Group at the Internet Engineering Task Force, we founded the Cross Community Working Party at the *Internet Corporation for Assigned Names and Numbers* (ICANN) on "Corporate and Social Responsibility to Respect Human Rights" and are active in drafting and supporting the passage of an anti-harassment policy at ICANN. We developed the global policies on Intermediary Liability and the Right to Blog. Our Brazil office has worked with women's domestic violence organizations to improve access to information on attacks, and built a legal protection network for bloggers. The Mexico office developed a methodology for documenting VAW and worked to create trusted online spaces for women human rights defenders in Oaxaca and Sao Pãolo. The East Africa team was a member of the drafting committee in the formulation of the African Declaration on Internet Rights and Freedoms and led regional coordination of advocacy activities. ARTICLE 19 has a gender thematic lead focused on ensuring diversity and equality across all of our international work, and is leading on our current research entitled "The Anatomy of Tech-related VAW".

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[8] Powerful coalition letter highlights danger of ICANN's new domain name registration proposal, EFF www.eff.org
[9] Gibbs, "Nudity and Facebook's censors have a long history", *The Guardian*, https://www.theguardian.com/technology/2016/sep/09/facebook-history-censoring-nudity-automated-human-means
[10] Knight, "How to fix Silicon Valley's Sexist Algorithms", *MIT Technology Review*, https://www.technologyreview.com/s/602950/how-to-fix-silicon-valleys-sexist-algorithms/
[11] *Ibid*.