

**AWID’s submission to the Special Rapporteur on the promotion and protection of freedom of opinion and expression call for comments on opportunities, challenges and threats to media in the digital age**

**Introduction**

Independent media that enables diverse, quality and independent coverage is a requisite to the right to freedom of opinion and expression of women and gender non-conforming people, as well as safety of women journalists. The right to freedom of opinion and expression are essential components to enable women and marginalized communities to visibilise and amplify their voices, demand accountability and to freely organise and take action. Conversely, attacks on women journalists violate not only their freedom of expression, but also society’s right to information from diverse media, as highlighted by the global campaign to support Maria Ressa.[[1]](#footnote-1) It represents a gendered attack on media freedom.

Around the world, right-wing, nationalist and fundamentalist actors inside and outside governments, along with the interests of media monopolies are intensifying attacks on public traditional broadcasting institutions to consolidate power and influence, while evading accountability and democratic control. With the rapid evolution of digital communications tools within the context of tech monopolies, we see these anti-rights actors investing in social media spaces as a key avenue through which to claim the discursive sphere, while intimidating activists and journalists and human rights defenders.

Within this context, gender and sexuality are a battlefield for struggles to appropriate and maintain institutional and social power. Sexism and misogyny, combined with direct discrimination through laws continue to place women and women journalists who are often women human rights defenders (WHRDs) at much higher risk of sexualized violence and online violence and obstruct their access and ability to express themselves in media spaces.[[2]](#footnote-2) The growth of authoritarianism, nationalisms and fundamentalisms worldwide has intensified these threats.[[3]](#footnote-3) To silence women and drive them out of media spaces, both state and non-state anti-rights actors have adopted repressive tactics targeting their identities. This has manifested in the increase of criminalization and persecution of human rights defenders, national security legislation, combined with cultural norms and community monitoring.

This submission builds on the findings of feminist organizations and women journatlists around the world, and outlines global trends of anti-rights tactics employed to repress the freedom of opinion and expression of women and gender non-conforming people, and women journalists. **In doing so, it responds to questions 1, 2 and 3. The submission will demonstrate the importance of recognising and addressing the rise of authoritarianism, nationalisms and fundamentalisms as systemic attacks by anti-rights actors on the right to freedom of opinion and expression, through a gender analysis.** It suggests that to enhance the intersectional focus of the upcoming report, the Special Rapporteur should address developments of authoritarianism, nationalism and fundamentalisms, and anti-rights mobilization as key political contexts.[[4]](#footnote-4)

The [Association for Women’s Rights in Development](https://www.awid.org/who-we-are-what-we-do#:~:text=Our%20mission%20is%20to%20support,to%20co%2Dcreate%20feminist%20realities.) (AWID) is a global, feminist, membership, movement-support organization working to achieve gender justice and women’s human rights worldwide, with over 6,000 members from over 180 countries. For over 35 years, AWID has served as a reliable source of information, research, and analysis on key themes and trends pertaining to women’s rights, gender justice, and feminist movements, and the contexts in which they operate. AWID also coordinates the Observatory on the Universality to Rights platform that has produced the [Rights at Risk: Observatory on the Universality of Rights Trends Report](https://www.awid.org/ours-2021).

**Anti-rights actors as a threat to the freedom, independence, pluralism of media**

**Who are anti-rights actors?**

“Anti-rights” actors describe a range of state and non-state actors who are working to undermine the universality of rights, the cornerstone principle that every person is equally entitled to human rights, with no exceptions.[[5]](#footnote-5) Anti-rights actors include individuals and institutions affiliated with religious fundamentalisms, nationalisms or ultra-nationalisms, white supremacy, ultra-conservatism and other oppressive ideologies and movements.

**Anti-rights actors and digital technologies**

Recent years have seen many fundamentalists and far-right leaders rise visibly to power, including in our parliaments and municipalities. Investing heavily in digital platforms and adapting to our shifting online environments and hypermediatized world, anti-rights actors seek to provoke, to maintain attention, and to mainstream their agendas.

Social media platforms have grown vastly over the past decade and prioritize profitability, extensively surveilling their users to make advertising on their sites more effective. The sector is characterized by monopolies, with platforms like Facebook buying out competitors like WhatsApp and Instagram. This gives it ever more data and helps it improve its algorithms to target users with ads[[6]](#footnote-6), with anti-rights actors stepping in to harness this information for hyper-targeted and sometimes deceptive political ads. Many anti-rights actors today have access to increasing amounts of personal data from internet users, and via election campaigns and otherwise digital tools have played a key role in the rise in authoritarianism worldwide in recent years. Not only has this catalyzed the spread disinformation online, it has propelled online violence against women journalists, WHRD and women dissendents. [[7]](#footnote-7)

**Anti-rights actors and traditional public media**

While anti-rights actors make strategic use of social media platforms, traditional public media outlets are also hugely important to reinforce the anti-rights discourse in public debates. Anti-rights organizations and governments directly interfere in the operations of media outlets, either by politicians requesting editors or others involved in the production of news to alter or halt a story, or by replacing journalists critical of a particular political party or policy with ones more favourable to those in power. Proliferation of right-wing media in itself has also been significant.

* In Hungary, right-wing prime minister Viktor Orbán restructured the media regulatory body to ensure that conservative government would have full control over appointments to the institution.[[8]](#footnote-8) Orban’s government subsequently merged more than 400 media outlets into one nonprofit conglomerate loyal to the government, putting an end to media pluralism in the country.[[9]](#footnote-9) Increasingly, media outlets putting out narratives praised Orban for blocking “migrant invaders” from entering the country and vilifying progressive movements.[[10]](#footnote-10)
* At the beginning of its administration, Polish conservative-nationalist party, Law and Justice (PiS) party gave the government the right to appoint the heads of public television and radio, significantly weakening the independence of public media.
* A hybrid media system is at work in Turkey - there is a dominant role for the state and contentious relationships between the media, military and fundamentalist actors, while at the same time it features private ownership. Several media outlets owned by the Alayrak, Hedef and Kalyon groups are so closely linked with Erdogan’s AKP party that they essentially serve as propaganda mouthpieces.

Anti-rights agendas have deeply benefited from a growing ultraconservative media ecosystem. Right-wing private media includes a growing list of online outlets like Rebel News,[[11]](#footnote-11) Breitbart,[[12]](#footnote-12) Compact,[[13]](#footnote-13) iFamNews,[[14]](#footnote-14) LifeSiteNews,[[15]](#footnote-15) and Nyheter Idag; TV stations like Fox News; talk radio stations; and tabloid newspapers like the Daily Mail. There also exist deep connections in this context between ultraconservative media and anti-rights think tanks, research centers and advocacy organizations.[[16]](#footnote-16)

Within this context, concentration of media ownership by rich billionaires undermines the ability of media outlets to deliver independent and quality information.[[17]](#footnote-17) With far more resources, anti-rights actors and corporations are able to target journalists dissenting and demanding accountability through scaled online campaigns and smears.[[18]](#footnote-18)

**Anti-rights narratives**

The expansion of ultraconservative media is reinforced by key tactics to persuade in their communications and to advance ‘master frames’ that deeply shape how others make sense of issues and the world. These include repetition,[[19]](#footnote-19) playing on people’s fears, creating narratives of victimhood, framing their agendas as ‘common-sense’ and more. Patriarchal, colonialist and xenophobic ideologies are baked into these tactics, which are subsuently used to target and deamonize women journalists and WHRDs.

In many cases, ultraconservative movements seek to create a moral panic, a widespread fear that someone or something is a threat to the safety, values and interests of a society at large. At the moment, for instance, the anti-rights discourse of ‘gender ideology’ seeks to fuel moral panic in several regions, including Latin America[[20]](#footnote-20) and Europe[[21]](#footnote-21).

The use of fear operates to position groups - such as women, girls and gender and sexually non-conforming people - as ‘the enemy’; to mobilize audiences who feel under threat to action; and to position anti-rights movements as the protectors and saviours of their supporters from the constructed ‘enemy.’

An undercurrent of ultraconservative communications today is also a culture of grievance and victimhood. This discursive maneuver has been described as ‘weaponized victimhood’, where anti-rights groups weaponize victimhood to maintain power and privilege in the guise of powerlessness and justice.[[22]](#footnote-22) Since this framing positions audiences as besieged victims, it also implicitly describes them as having the moral authority to ‘fight back’ or ‘defend’ themselves, uniting and mobilizing different groups together on the basis of shared perceived grievances. Narratives such as ‘interests of the nation’—as they define it—should override democratic principles like press freedom, transparency, and open debate.

**Regressive laws and legal actions used by anti-rights actors to repress freedom of opinion and expression**In an attempt to suppress democratic protest and action, we have witnessed repressive states crackdown on dissent and criminalisation of activism for justice and rights work. These have been invariably justified on the grounds that certain political activities can be legitimately curtailed by the state in the ‘interest of the public.’

* Journalists have raised concern over the recently passed ‘foreign interference’ law in Singapore where media already operate under strict regulation.[[23]](#footnote-23) Independent media were particularly concerned, given the broad scope of the law and its potential use to stifle freedom of opinion and expression.
* In 2021, the Polish government passed a bill to prevent non-EU companies from holding a controlling stake in Polish media. The government has claimed that the law “in no way limits media freedom” and is intended to prevent media outlets from being “bought by an entity from Russia, China, or an Arab country”. But in practice it targets one particular, popular news station that is often critical of the government.[[24]](#footnote-24)
* The rise of anti-terrorism measures and discourse has resulted in the rise of states laws and special court procedures to silence journalists who speak out and dissent. The 2020 Phillipines anti-terrorism law was challenged in the Supreme Court by activists and journalists council.[[25]](#footnote-25) The law enables the Anti-Terrorism Council to designate individuals and organisations as terrorists without any hearing, as long as it sees “probable cause” that they commit or attempt tp commit “terrorist acts.”
* In Poland and Croatia, strategic lawsuits against public participation, (SLAPPs) are often against journalists to try to prevent the public from learning about matters of public interest that could harm the reputation of a company or government.[[26]](#footnote-26) The aim of the claim is to dissuade journalists from reporting on a controversial story by making it as costly and time-consuming as possible.
* As a response to the COVID pandemic, the Thai government has increased weaponization of the term ‘fake news’ to crackdown on dissent. A number of arrests have been made under the Computer Crime Act and Emergency Decree to criminalise any online expression which is critical of the monarchy or government and its policies. 31

Within this context of media censorship, gendered attacks faced by women journalists are well documented by feminist and journalists organizations. As noted in the 2021 report of the UN Special Rapporteur on Freedom of opinion and expression, women journalists along with human rights defenders, politicians and feminist activists are particularly targeted for physical and psychological violence and threats, including death and rape threats, for speaking out.”[[27]](#footnote-27) Below, we list recent trends of anti-rights actors in silencing women journalists and journalists from marginalized communities and drive them out of the digital spaces.

**Gender-based violence against women journalists**

Women on the frontline of raising issues, who become narrators and active interlocutors in the public sphere/space, become targets for anti-rights actors. In the 2021 UNESCO [report](https://en.unesco.org/sites/default/files/the-chilling.pdf) entitled “The Chilling”, which focuses on online violence against women journalists, it was noted that Maria Ressa, a Nobel Peace Prize-winning journalist in the Philippines, was, at one point, subjected to 90 harassing messages an hour on Facebook.[[28]](#footnote-28)

The aim of online violence against women journalists is to belitte and shame; induce fear, silence, and retreat; smear or discredit them professionally, thus undermining accountability journalism and trust in facts; and chill their active participation (along with that of their sources, colleagues and audiences) in public debate.[[29]](#footnote-29)

The report indicated that gender, as a theme or subject of journalism, was most frequently associated with heightened harassment according to research participants, highlighting the primary function of misogyny in online violence. Other issues that attraced most backlash include: feminism, domestic violence, sexual assaults, femicide, reproductive rights (especially abortion), and the rights of trangender people.

While much of this submission focuses on anti-rights attacks in digital spaces, violence gender based violence must be understood as a part of a continuum that extends offline. Aside from inflicting very real psychological injury, targeted online violence poses physical safety risks, especially in the context of campaigns against women journalists that trigger mob reactions. In 2017, the Committee to Protect Journalists reported that in at least 40% of cases, journalists who were murdered reported receiving threats, including online, before they were killed.[[30]](#footnote-30) 20% of the women journalists surveyed in the study reported experiencing abuse and attacks in the physical world that they believe were seeded online.

Racism, religious bigotry, sectarianism, ableism, homophobia and transphobia intersect with patriarchy to produce significantly heightened exposure and deeper impacts for women experiencing multiple forms of discrimination concurrently.[[31]](#footnote-31) To construct threats to the imagined nation from the “other,” anti-rights actors invoke nationalist discourses that portray women journalists as a threat to the nation, society and family. In Sri Lanka, journalists speaking out against sexual harassment against women is labelled as a “traitor,”[[32]](#footnote-32) while in Serbia, women journalists are hurled with slurs such as “gypsy.”[[33]](#footnote-33) Maria Ressa is also falsely accused of being a foreigner and a “CIA agent” in The Philippines.

Women journalists at the intersection of multiple forms of discrimination face heightened online violence where oppressive structures of racism, anti-Semitism, and xenophobia are intertwined with misogyny. The 2021 UNESCO report identifies this pattern of online abuse by the far-right as a global phenomenon where a significant number of interviewees in the survey directly linked online abuse to the oppressive and environment created by far-right political actors.[[34]](#footnote-34) This will be further explored below.

**Disinformation**   
More broadly, anti-rights movements seek to plant and amplify disinformation that furthers their agendas online to shape not only the views of direct audiences, but to shape media narratives and to boost their messages via mainstream media coverage. Such planting and amplifying can be carried out by people - such as troll armies or online impersonators - or by digital tools such as bots.

Disinformation campaigns played a role in convincing Bolsonaro supporters that they were fighting for democracy and against authoritarianism, as online propaganda framed left-wing proposals as totalitarian in nature. Misleading content and images related to gender and sexuality were prominent - for instance, a poll conducted in 2018 showed that over 80% of Bolsonaro’s viewers believed that Fernando Haddad had distributed a so-called “gay kit” as Minister of Education that aimed to “‘convert all children into being LGBT,” and which encouraged early sexual practice and pedophilia.

The 2021 UNESCO [report](https://en.unesco.org/sites/default/files/the-chilling.pdf) identified the key ways disinformation, particularly deployed by right-wing actors, are used in targeted multi-platform online attacks against women journalists. 41% of survey respondents said they had been targeted in online attacks that appeared to be linked to orchestrated disinformation campaigns, where reporting on disinformation and intertwined issues, such as digital conspiracy networks and far-right extremism, were identified to trigger heightened attacks. High-level political leaders and other state actors were identified as some of the biggest instigators of online violence while political actors were also the second most frequently noted sources (37%) of attacks and abuse after ‘anonymous or unknown attackers’ (57%).[[35]](#footnote-35) Additionally, partisan, mainstream and fringe news media can be shown to amplify such attacks, triggering ‘pile-ons’ that escalate the risks of online violence morphing into offline assault or causing significant psychological injury.

The use of misogynistic abuse, harassment and threats against women journalists by disinformation purveyors aim smear their personal and professional reputations, hold them up to ridicule, and expose them to increased offline risk, thereby both humiliating them and potentially chilling their accountability journalism, while simultaneously undermining and undercut public trust in their reporting.

In 2018, when journalist Patricia Mello published a series of articles investigating disinformation allegations in the context of the Brazilian national elections, the orchestrated attacks against her involved significant disinformation. The internet became littered with falsified deep fake videos, viral memes, and rape threats.

There also exists the trend of governments mobilising ‘digital hate squads’ (also sometimes referred to as ‘patriotic trolling’) to chill critical commentary and quash freedom of expression. These gendered and sexualized attacks deploy bots, malware, and doxing to send sexual abuse to the journalists’ phone and social media handles.

Recently, investigative journalists have exposed the vast and complex web of political operatives affiliated with the Bharatiya Janata Party (India’s right wing ruling party) driving industrial scale propaganda operation in India, with the ability to flood major social media platforms with automated abuse and targeted harassment. Much of the abuse are misogynist and communal in nature,[[36]](#footnote-36) making women journalists and descendents main targets. In 2018, a deepfake video of journalist Rana Ayyub was released after she reported the rape of an 8-year-old Kashmiri girl by a Hindu temple caretaker and several police officers. she was made to look like she supported child rapists.The video was circulated by thousands, including on fan pages of BJP leaders.[[37]](#footnote-37)

Muslim woman journalists in India face heightened attacks by right wing extremist Hindu groups on online platforms where their personal pictures and confidential information are regularly shared.[[38]](#footnote-38) Arfa Khanum Sherwani, a senior editor at the news website The Wire, is threatened on “thousands and thousands and thousands” of Facebook, Twitter, and Instagram accounts, with rape and death.[[39]](#footnote-39) “It terrifies me, it unsettles me,” Sherwani says, describing the loathing she must withstand as a journalist, a female with an opinion, and the additional hatred reserved for her Muslim identity. The bulk of these abusive messages come from handles that adore Prime Minister Modi, she says.

**Surveillance**

Surveillance tactics are often used by authoritarian, religious fundamentalists and right wing governments to target human rights defenders to dissuade them from continuing their human rights work. In the context of COVID, the use of mass surveillance and misuse of personal data has been justified as a legitimate response, where states, in particular existing authoritarian regimes, have new justifications for exercising their monopoly on violence, declaring arbitrary measures, and conducting new forms of political coercion.[[40]](#footnote-40)

The impact of surveillance on women human rights defenders and journalists are particularly egregious as they are disproportionately vulnerable to weaponized personal information extracted. The aim is to intimidate, harass, and publicly smear the targets’ reputations.

The recent Pegasus Project revelations[[41]](#footnote-41) exposed the extent to which digital surveillance is used to target dissenters and journalists as a means to silence them. Pegasus, developed by Israeli tech firm NSO, transforms a mobile phone into a surveillance device, accessing and exporting texts, photographs, and emails without the user’s knowledge.[[42]](#footnote-42) Reports revealed how dozens of women in India, South West Asia, and North Africa who were presumably targeted for monitoring by governments using Pegasus spyware are now at a higher risk of being blackmailed or harassed.[[43]](#footnote-43)

Women journalists and human rights defenders already face a multitude of discrimination in exercising their freedom of opinion and expression, the use of surveillance technology exacerbates this by contributing to a chilling effect in which defenders are aware they may be targeted and therefore may become fearful to continue their work. In consequence, women targets of surveillance live in a constant state of fear, become socially isolated and limited in their activism. As expressed by one of the victims, Ebtisam Al-Saegh, “personal freedoms are over for me, they no longer exist. I am not safe at home, on the street, or anywhere.”[[44]](#footnote-44)

**Accountability of internet platforms and technology companies**

Within these various contexts, technology companies, have failed to respond meaningfully and impactfully. While internet platforms have been more responsive due to increasing pressure from governments and civil society organizations, the Association of Progressive Communications has highlighted how these practices have mostly been “public relations” reactions aimed at reputation control and management, absent of structural policies and process implementation to address disinformation[[45]](#footnote-45) and online gender-based violence.[[46]](#footnote-46) Recently, a study by Global Project Against Hate and Extremism (GPAHE) found that digital giants including Amazon, Google, Meta (formerly Facebook), Microsoft, PayPal, Twitter, YouTube and Wikipedia have failed to address on anti-LGBTQ disinformation about so-called “conversion therapy.”[[47]](#footnote-47)

As the Special Rapporteur has previously highlighted, “a challenge to the moderation of harmful content is the platform business model that seeks to maximize user engagement by promoting inflammatory and controversial content.”[[48]](#footnote-48) Further, any meaningful and impactful changes must target the business model of these companies, in particular their exploitation of personal data and the obscure use of algorithms.[[49]](#footnote-49)

In the context of surveillance of activists, anti-rights actors and private companies exploit the lack of regulation of surveillance technologies to operate with complete impunity. As highlighted by Amnesty International, “now, we urgently need greater regulation over the cyber surveillance industry, accountability for human rights violations and abuses, and greater oversight over this shadowy industry.”[[50]](#footnote-50)

1. <https://undocs.org/A/76/258> [↑](#footnote-ref-1)
2. <https://www.opendemocracy.net/en/5050/women-in-journalism-face-twice-the-level-of-danger-as-male-colleagues/> [↑](#footnote-ref-2)
3. Human Rights Council, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association A/HRC/32/36, 10 August. The previous special rapporteur on the rights to freedom of assembly and association, in his 2016 report to the Human Rights Council has defined 13 fundamentalism to beyond religious fundamentalisms to also include market fundamentalisms, cultural and nationalist fundamentalisms, and political fundamentalisms. [↑](#footnote-ref-3)
4. Human Rights Council, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association A/HRC/26/29, 4 April 2014. AWID, Towards a Future without Fundamentalism [↑](#footnote-ref-4)
5. For more information, please refer to [Rights at Risk: Observatory on the Universality of Rights Trends Report](https://www.awid.org/ours-2021), 2021 [↑](#footnote-ref-5)
6. <https://www.technologyreview.com/2018/08/14/240325/how-social-media-took-us-from-tahrir-square-to-donald-trump/> [↑](#footnote-ref-6)
7. UNESCO ['The Chilling: Global Trends in Online Violence Against Women Journalists,](https://en.unesco.org/sites/default/files/the-chilling.pdf)” 2021 [↑](#footnote-ref-7)
8. <https://www.hrw.org/news/2020/07/24/hungary-editors-sacking-blow-press-freedom> [↑](#footnote-ref-8)
9. <https://www.hrw.org/news/2019/09/26/hungarys-democracy-crisis-demands-european-response> [↑](#footnote-ref-9)
10. <https://www.npr.org/2019/05/08/720015059/outlets-strive-for-independence-in-hungary-where-most-media-back-the-government> [↑](#footnote-ref-10)
11. <https://www.rebelnews.com/> [↑](#footnote-ref-11)
12. <https://www.breitbart.com/> [↑](#footnote-ref-12)
13. <https://www.compact-online.de/> [↑](#footnote-ref-13)
14. <https://www.ifamnews.com/en/about/> [↑](#footnote-ref-14)
15. <https://www.lifesitenews.com/> [↑](#footnote-ref-15)
16. <https://www.researchgate.net/publication/263212088_The_Vast_Right-Wing_Conspiracy_Media_and_Conservative_Networks> [↑](#footnote-ref-16)
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18. <https://www.cjr.org/analysis/shadowy_war.php> [↑](#footnote-ref-18)
19. <https://www.scientificamerican.com/article/misinformation-has-created-a-new-world-disorder/> [↑](#footnote-ref-19)
20. See e.g. <https://brill.com/view/journals/rag/6/2/article-p251_8.xml?language=en> [↑](#footnote-ref-20)
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22. News on the Right, A.J. Bauer and A.M. Nadler, 2019, Oxford University Press. [↑](#footnote-ref-22)
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24. <https://www.opendemocracy.net/en/polish-media-and-opposition-fight-save-press-freedom-state-control/> [↑](#footnote-ref-24)
25. <https://monitor.civicus.org/updates/2021/02/22/activists-and-journalists-targeted-draconian-anti-terror-law-challenged-philippines/> [↑](#footnote-ref-25)
26. <https://balkaninsight.com/2021/05/21/spoof-awards-for-intimidating-lawsuits-go-to-poland-croatia/> [↑](#footnote-ref-26)
27. <https://undocs.org/A/76/258> [↑](#footnote-ref-27)
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29. Ibid. [↑](#footnote-ref-29)
30. <https://cpj.org/reports/2017/10/impunity-index-getting-away-with-murder-killed-justice-2/> [↑](#footnote-ref-30)
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35. Ibid. [↑](#footnote-ref-35)
36. <https://thewire.in/tekfog/en/3.html> [↑](#footnote-ref-36)
37. <https://womensmediacenter.com/news-features/gaslighting-stalking-revenge-porn-right-wing-hate-fuels-attacks-on-women-journalists-in-india> [↑](#footnote-ref-37)
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41. <https://forbiddenstories.org/case/the-pegasus-project/> [↑](#footnote-ref-41)
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