

INTERNET GOVERNANCE FORUM
BEST PRACTICE FORUM ON GENDER & DIGITAL RIGHTS
- Virtual Meeting VII | 26 September 2022 at 15:00 UTC -

SUMMARY REPORT

Action items and next steps

- There was the restructure of third category/theme of the report to focus on rights that are affected by regulation - freedom of association and religion
- Targeting of journalists and HRDs will likely show up in all of the thematic categories, and was also discussed as a sub-item of FoE
- Working documents were updated accordingly: Full draft [here](#), which leads to other thematic areas
- Writing should happen asynchronously; case studies need to focus on individual and collective impacts on rights
- Penholders and volunteers should focus on writing up regulatory examples, not contextual framing - this will come later during the production of the report. Please work on your specific document as you feel more comfortable with it
- It is defined that regulation can refer to formal state regulations and regulation by platform
- Guest Julia Haas mentioned a couple of references which were added to the [reference material spreadsheet](#) - Daphnee will update it with extra links as soon as she shares more useful ones with the group.
- Next meeting: **17 October 2022, 15:00 UTC** – zoom link to follow.

Participants

Courtney Radsch

Daphnee Iglesias

Frédéric Cohen

Kayode Akanni

Marwa Azelmat

Paula Martins

Notes

The seventh meeting of the Internet Governance Forum (IGF) Best Practice Forum on Gender and Digital Rights (BPF Gender) was hosted online on 26 September 2022 at 15:00 UTC. It was hosted by co-facilitator Courtney Radsch and coordinator Marwa Azelmat. This call had expert Julia Haas (OSCE) as special guest.

1. Agenda:

- Discuss the progress of the report draft
- Hear from expert Julia Haas on freedom of expression and her work at OSCE
- Delineate next steps for working on the draft report

2. Discussion:

- Courtney Radsch, co-facilitator, launched the meeting by welcoming the participants. She was joined by Marwa Azelmat, coordinator; and Daphnee Iglesias, UN-IGF Consultant.

- Courtney opens the meeting by asking the attendees to present an update of their work within their respective sections of the report. Frédéric Cohen tries to engage, but microphone is low – on the chat he clarifies his work is on decent work and economic growth for responsible consumption and population support. Via the microphone, Courtney understands he is making a suggestion about how regulations related to biodiversity impact on gender. Courtney replies that this is something to take under consideration, on a specific proposal. However, the document with which the BPF is working is already far along and the introduction of a new domain could be tough. If there is a way to integrate the issues the BPF can try to do – she encourages Frédéric to add his observations with tracked changes in the document.

- Paula Martins is the next one to share updates. She states there is not much to report as a group, and that the urgent next step would be to get together and discuss. She had left some suggestions for team on the main document. Her main concern is to how we are differentiating Themes 2 and 3, as she believes there is a lot of overlap: a lot of the cases she could bring to the report are mainly targeting human rights defenders and journalists. If gender disinformation is mentioned, we are usually talking about women in politics, for instance. We could have a bit more of a boundary between the two topics. Following a previous suggestion she left on the main document, she started to gather other information beyond gender disinformation to aggregate more to the report. She believes the BPF can work on gender disinformation later, building on last year's report. She decided to analyse the Brazilian Fake News Bill – and with some examples of blasphemy provisions in different laws, the BPF can demonstrate how these have been used to refrain freedom of expression and sexual expression (also as part of FoE) of feminist groups, gender-diverse people. She has collected some examples already and will transfer them to the working document. Finally, Paula states that the next step would be to have a conversation with the group, a work plan, and key decisions on how to address the themes, to avoid overlap.

- Courtney agrees with Paula. Frédéric Cohen tries to engage, but microphone is low. Courtney invites Marwa to share her updates.

- Marwa Azelmat states that the groups have not come together to agree on the work. She suggests a call for penholders to just start writing asynchronously, so later the group can eventually coordinate the different suggestions – she is in the reproductive privacy group. Marwa also agrees with Paula and wonders how the BPF can draw a link between the themes, she cites the current situation in Iran as something that makes sense to bring into the report. Then all penholders will be on the same level of understanding, but also being vocal in a way that is consistent. She is not sure how the BPF can coordinate this, but she agrees the report needs to have case studies that relate to each other, so it keeps consistency. Referring to Frédéric’s suggestion, she is not sure how biodiversity can be included. To stay in the same thematic that has been discussed before, the BPF needs to make sure that the report will be consistent in terms of voicing concerns, but also in terms of the link that the group wants to bring up between regulatory practices and freedom of expression, and the different gender and sexually diverse rights issues that we want to highlight.
- Courtney thanks Marwa for sharing her updates and acknowledges the arrival of Julia Haas, today’s guest. She will have the second half of the meeting to discuss freedom of expression. Courtney invites Kayode Akanni to share his updates.
- Kayode confirms his group – targeting of human rights defenders and journalists – is also on the same page as the previous updates and there is still not much progress to report.
- After this round of updates, Courtney assesses that the participants believe themes 2 and 3 are very similar. She agrees with this perspective. Additionally, the participants have mentioned alternative aspects that the BPF wants to explore and they are not included in the working document. While it is hard to open to another new domain e.g., biodiversity, economic growth, there is the opportunity to integrate topics – freedom of expression de facto includes who are possible targets – and theme three can be altered to freedom of association and religion. Courtney opens the floor for discussion.
- Paula agrees this is a good way to move forward because a number of cases affect more than one right. She states it would be good to start sharing them as soon as possible and see how the group can define the topics better – the same case can be an example for more than one topic. The BPF can explore them in different ways and develop different angles of the same examples. Possibly. But then I think we just need to read that to begin with. Let’s try to differentiate the cases, she agrees it is a good idea. There will be overlap, but if the structure of the document is clear, the report will make more sense.
- Courtney agrees with Paula. She observes that themes 1 and 2 are built around regulations that impact privacy and freedom of expression. Theme 3 does not fit into the study focus, which is regulatory. She suggests having a rights-based theme as #3. If the report will be built on the same examples, the BPF has two options: highlight the different regulatory impacts on rights, or reframe them to verify how they are interrelated. Marwa agrees. Paula also agrees – it would not be a problem to use the same regulation to highlight different aspects in different sections, if these sections make sense. Currently, she believes, they do not follow the same reasoning. She also states that the report introduction can demonstrate how interrelated all these rights are, and how they are violated.
- Courtney thanks Paula and holds the discussion for the expert talk by Julia Haas, OSCE Special Rapporteur on Freedom of Expression. She has kindly agreed to join this session to talk a bit about OSCE’s work on this broad dimension of regulatory interventions that impact gender and digital rights. They have several lines of work, so Courtney thought it would be helpful to hear from her, as

it can also help the BPF in framing the report's discussion. She proceeds to explain to Julie that so far, the meeting was about analysing these three thematic buckets identified by the group, and trying to restructure the report. Courtney is excited to know about the special rapporteur's work, her work focus and what the group might take from her work to inform the BPF.

- Julia Hass takes the floor and proposes that since this is a small group, she will not come with long introduction or presentation. She will start by giving an overview of what OSCE is doing. For those unfamiliar with her institution, the RFoM – M for media – is a representative on freedom of the media, and they are an institution within the OSCE, so within the framework of a security organization that recognizes that human rights are an essential part for security and human security, and that within the area of human rights media freedom also has a specific angle. They work with States on media freedom, trying to further develop and elaborate commitments, besides assisting the State in implementing their commitment to the international standards. Julia believes this is the area where their work shades IGF and the BPF, where we can see how to improve the implementation – RFoM would be happy to jointly build on their work, by helping inform and frame the BPF work, and vice versa. At RFoM the focus is very much media and freedom, and they have concentrated at aspects of pluralism and diversity of voices which, in the more narrow understanding of media freedom. There is the topic of woman journalists, and the question of how journalists are on threat, but also within the kind of broader perspective or terminology of journalists, that certain groups of these professionals face different challenges or additional threats. Since 2015, RFoM has looked at women journalists and online harassment, and abuse against women journalists, which very often leads to self-censorship to significant drama on the individual level, and brings different layers to the game, e.g., being targeted with hate or misogyny, or death, threats or rape threats, hacking, doxing, or DDoS attacks. It is an unfortunately very broad spectrum, which not only affect the individual person, but it really has an impact on the stories that are being told, and the way of reporting and the ability of journalists to do their job.

- Courtney explains to Julia that what the BPF wants to do with this year's report is to build on several years of description of the problem and look at specifically regulatory issues. She asks Julia whether they have produced resources on this area, or lines of work that would be helpful for the BPF. She also asks Julia if she could talk about doxing and smearing; these have been happening for a while and if there are any movements to address the problem through a regulatory approach.

- Julia affirms that how to address the problem is part of the discussion. At her organisation they have not done any kind of comprehensive analysis of existing legislative systems. They do a lot of advocacy, looking at all the different structures of the issue. In her words, aiming specifically at online harassment or online speech which can be harassment, there is legitimate content or information where it is very difficult to draw the line. The recommendations her institution – which mandate concentrates on freedom of expression – put forward are policies and awareness, literacy; they do not push for regulations. Currently, Julia shares that they have been working on understanding the online environment and its governance. For many, interactions take place on online platforms, and RFoM has focused on this to provide guidance on how the architecture and the framework can and should be regulated, rather than the content of speech itself. When analysing how women are not speaking out in the online sphere, either because they are targeted, or also because the environment itself is not conducive to pluralism, there are different challenges to that, which are very often stem from the process. She cites that speaking on user engagement and content governance more broadly than the content itself has this double effect: women are being silenced because they are more

directly targeted by content moderation, but also indirectly silenced because of the hate speech. RFoM published a Resource Guide two years ago, which focuses on women journalists. Not gender in the broader sense, but specifically on women journalists, even though, of course, the tactics and the responses are quite similar, and there they have also compiled good practice examples for different stakeholders, including for states. There is also a chapter on how the organisation believes that the legislator branch of governments should improve the frameworks, the laws, the policies. Additionally, there is a collection of good practice examples from across the OESC region, which might be useful for the BPF report.

- Julia goes on to say that RFoM is doing work on platforms and AI impact – but here she acknowledges they are a step earlier in the process by being one of the actors who are pushing for more regulation, and not too much analyzing the existing regulations. Another additional source to be looked at are joint declarations. How it works: the state/IO representative and other free speech mandate holders (UN, OAS, African Union), special rapporteurs publish a joint declaration yearly, to provide policy guidance. This works as guidance for States and other actors in how they should be building the regulatory frameworks, focusing not only on legislation, but also policy and other kind of measures. This year, for the very first time in twenty years, the joint declaration's focus was really on gender and general justice, to underline the need for transformative change. She affirms there are several aspects in the document which would be very relevant for the discussion on how regulation needs to include gender perspective from the beginning and also on thinking about the design of the regulation, otherwise there will be challenges later on. The joint declaration also addresses issues such as the legislation that is already in use. The current UN special rapporteur on freedom of expression Irene Khan is very vocal on these issues and has indeed also issued a report on Gender Justice last year. Finally, Julia suggests that another element that can be interesting for framing the BPF report would be to build on some of the recommendations that are already out there, because there is no need to reinvent the wheel – but rather we need align the existing messages and build on the work of one another.

- Courtney states that a couple of calls ago the group had specifically mentioned that as one of the goals of this piece of research. She asks if Julia has links to specific reports, especially the ones that present recommendations. She clarifies that the BPF is calling it a regulation, which is state-focused, but at the same the community knows that platforms play a big role – it is about regulation in a looser sense. The BPF definitely does not want to reinvent the wheel, so, being able to allude to those reports and draw on them would be really helpful. Daphnee can follow up with Julia for other links additional to the ones shared in the chat.

- Julia agrees, as this situation is something that they face at RFoM. By working on issues, what is really the most important thing to have is this follow up, ensuring that it is not just a nice recommendation but that it is being implemented. Julia believes the organisations need to strengthen all of our symmetries, because individual capacities and possibilities are limited. She thinks it would be excellent that, beyond RFoM's work helping the report, the BPF come across with specific ideas from this loose understanding of regulation which can point out not only what States should be doing better, but also international organizations – it is all interlinked. We cannot work in silos. Additionally, The BPF results will be very useful for us to present to States: they can take up the form of guidance for the State representatives participating in the IGF. Julia believes there are elements that can be used to point out how can specific recommendations be referred to in different foreign discussions.

RFoM are more than happy to build up them, or think about how we can present them, for example, to the OSCE participants. Many of them are also involved in the IGF.

- Courtney thanks Julia once more for the ideas and confirms that the BPF's intention is to discuss these matters outside of IGF. She states we are all on the same boat and it would be helpful that the work different fora are doing informed each other – this is one of the big goals the MAG members have for the IGF. And this group, the reason it is called a best practice forum, is because we are building on and drawing on best practices, and ideally learning from the community – to then generate feedback and inform the community. Courtney moves the meeting to a third part, and opens the floor to the participants to engage in what are their thoughts on reframing the thematic categories around rights that are affected through regulatory intervention versus working on the targets – since indeed, we do see that journalists and human rights defenders are recurring targets. She brings as third category freedom of association and religion.

- Julia shares the first commentary, stating that having some overlap of some is not very logical. Differentiation is certainly a valid tool. Within the right of freedom of expression, which, of course, is also linked to assembly, to freedom of religion and freedom of opinion. They are all intertwined, but Julia believes that, once restructured, it would make sense to look at freedom of expression as generic and general challenges, and then within that category feature public voices, as journalists, human rights defenders and activists. They face additional layers of threats; hence they can be differently affected by regulation - or maybe regulation has also the intention to limit their ability to scrutinize and speak out. She affirms it would make sense to have some subpoints with the general category cited above. The same would happen with freedom of assembly as well, because there are again different level of impacts depending on who the person is, and how marginalized this voice or community may be.

- Courtney acknowledges the ideas are great. She thinks one way of approaching each section of the report would be to specifically draw out impacts on public figures to highlight Julia's remarks. One of the overarching points is also that this issue affects all sorts of women – but when you talk about certain types of women the issues have broader effects for all people regardless of gender. Courtney asks for Paula's opinion on the matter.

- Paula says that the situation makes a lot of sense. What the community needs to do now is to be careful to go on sharing how we are moving forward. She believes there must be a good way of organizing themselves and making it easier to move forward, also ensuring that the case studies do not return to the same problem.

- Julia adds to the discussion by reflecting on the intersectional approach that the groups are all aiming these days - to not say we have freedom of expression, or there are human rights offenders, but rather say we have a right. And this right is differently difficult to be exercised by different people. And then, within the group of people and the variety of communities and individuals out there, there are different levels of challenges to exercise this right, with human rights offenders obviously being one of them. Considering all of this within the overarching gender umbrella, it would be very useful to approach it with the presented different steps.

- Julia's point is shared by Courtney, as one of the contributions that this best practice paper can make is looking at both individual and collective levels of the problem. For instance, to Paula's point on blasphemy laws - she says it has been a long time since she worked on that, but you know that the

matter has individual impacts, but it also has societal impacts: the ability to practice one's religion, one's religious status in a country, etc. We might want to keep an eye on the thinking around individual and collective impacts, as we go through the report and collect case studies.

- Paula supports Courtney in her statement. When one talks about gender justice, they talk mostly about the heavy weight of structural discrimination. It has a collective approach and an individual, in fact. On the collective aspect, it is also different to talk about regional expressions. Paula states the BPF should bring the collective-individual perspective into the overall narrative. She suggests looking for cases on both ends. Additionally, she suggests highlighting this approach in the report narrative, at the introduction and conclusion.

- Courtney agrees the impact is mostly multi-level. She asks if Frédéric wants to share his thoughts. [bad connection, microphone is low] Frédéric confirms it is an important issue. Courtney invites him to help contribute to any of the themes.

- On her final remarks, Courtney thanks for the good progress on this meeting. She reinforces the community should really communicate with each other during the report writing. She proposes to focus on the case studies first – the contextual framing and other parts can come a bit later in the progress.

- Courtney thanks Julia once more for joining the small, powerful meeting. It was really helpful to have her present and her mentions to all the resources. Daphnee will include them in the documents. Courtney asks Julia to email her and Daphnee if she comes across more helpful tools. Courtney acknowledges the presence of everyone in the call for their substantive participation.

3. Next meeting: 17 October 2022, 15:00 UTC – zoom link to follow.