

**Submission to the Call for inputs for the study of the Human Rights Council
Advisory Committee on the impact of disinformation on the enjoyment and
realization of human rights (HRC resolution 55/10)**

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This report was prepared by Global Action for Trans Equality (GATE). Founded in 2009, GATE is a trans and gender diverse-led international advocacy organization with ECOSOC status working towards justice and equality for trans and gender diverse communities globally. Rooted in our movements, we collaborate with international, regional, and national strategic partners to ensure access to resources, knowledge, and decision-making spaces.

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Introduction

The submission addresses disinformation and its impact on the enjoyment and realization of human rights for trans and gender diverse communities globally. It aims to examine the specificities of disinformation as they target trans and gender diverse individuals and issues, explore its relationship with the enjoyment of human rights, assess the responses of States and digital companies, and provide recommendations for combating disinformation.

A. Conceptualizing Disinformation and the anti-gender movement

For this report, we focus on disinformation as it relates to trans and gender diverse individuals and issues. In this context, disinformation is the deliberate dissemination of verifiably false or misleading information targeting individuals, groups and/or issues based on their gender identity and/or gender expression reinforcing harmful stereotypes, perpetuating discrimination based on cisnormative¹ patriarchy and undermining gender equality. It aims to exploit societal biases and power imbalances to manipulate public opinion and control narratives.

Since the early 2010s, the global anti-gender movement² has strategically utilized gendered disinformation as a weapon to undermine and attack trans and gender diverse groups and their rights, using these attacks as the tactic to advance wider conservative, hierarchical, patriarchal, and antidemocratic political agendas. By disseminating false information and spreading harmful stereotypes about gender and sex, and trans and gender diverse people, anti-gender actors aim to create fear, confusion, and hostility towards these communities, especially trans and gender diverse communities. These disinformation campaigns seek to erode public support for trans rights, deny the existence and legitimacy of gender diversity, and ultimately hinder progress toward equality and inclusion, not only for the trans community but for all.

Social media has played a positive role in enabling human rights defenders to disseminate critical information and reach marginalized groups. However, by exploiting social media algorithms³ in combination with existing societal biases and manipulating narratives, in several cases, the anti-gender movement has been successful in rolling back hard-won advancements in trans,

¹ Cisnormativity refers to the societal assumption, belief, and privileging of cisgender identities and experiences as the norm or default. It is a system of norms, expectations, and attitudes that reinforce the idea that individuals should identify with the gender assigned to them at birth based on their biological sex.

² The anti-gender movement is an international movement which opposes what it refers to as gender ideology, gender theory, or genderism (Kováts, Eszter, 2016). The anti-gender actors usually critique a range of issues related to gender equality, LGBT rights, and gender studies, specifically targeting trans people and rights, sexual and reproductive health, rights and education, and same-sex marriage, among other issues.

³ For example, see Anti-Defamation League. (2023). *Bad to worse: Amplification and auto-generation of hate*. [From Bad To Worse: Amplification and Auto-Generation of Hate | ADL](#)



wider LGBTQI and women's rights and promoting regressive policies that undermine democratic values and the principles of equal rights and dignity for all individuals.⁴

B. Actors spreading or enabling the spread of anti-gender disinformation

The social media platforms are failing to be safe places for LGBTQI people, especially trans people, and serve as the main platforms for disinformation. For example, GATE's 2023 global survey found that *72% of the surveyed agree that social media platforms are the primary means for anti-gender mobilization*.⁵ Facebook (66% of respondents) and Twitter (50% of respondents) were named by the respondents globally as the social media channels where anti-gender movements spread disinformation against trans and gender diverse people.⁶ Moreover, in the same study, *75% of surveyed trans, gender diverse and intersex⁷ organizations and/or activists agreed that social media platforms do not sufficiently enforce their rules to prevent the spread of harmful and/or false news and/or the planning of violent actions*.

Similarly, GLAAD's research has found the alarming spread of inadequately moderated anti-LGBTQ hate and disinformation, which is characterized by fear-mongering, lies, gender stereotypes, conspiracy theories, dehumanizing tropes, and violent rhetoric.⁸

This means that the current policies and their enforcement fall short of effectively addressing harmful and dangerous anti-LGBTQ content.^{9 10} With the massive numbers of people on social media, this disinformation reaches more people than through traditional media outlets. It allows anti-gender actors to gain the support of the public, thereby enabling them to plan and execute incitement to or the perpetration of violent actions against vulnerable communities. One of the ways in which social media platforms enable anti-gender narratives, which primarily use gendered disinformation, frequently resulting in violence in real life, is by ignoring their own

⁴ For example, see Anić, Jadranka Rebeka. 'Gender, Gender "Ideology" and Cultural War: Local Consequences of a Global Idea – Croatian Example'. *Feminist Theology* 24, no. 1 (2015): 7–22.

⁵ GATE. (2023). *Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Global Report*. New York Available at:

https://gate.ngo/wp-content/uploads/2023/03/Global-report-on-the-impact-of-AG-opposition-on-TGD-and-LGBTQI-movements_GATE.pdf

⁶ *ibid.*

⁷ TGD refers to trans, gender diverse and intersex individuals

⁸ GLAAD. (2024). *Social Media Safety Index 2024*. Available at:

<https://assets.glaad.org/m/4a1d7323a720f2b9/original/2024-Social-Media-Safety-Index.pdf>

⁹ Furthermore, there are many examples and studies that show how social media companies are profiteering from spreading gendered misinformation and hate. For example, Xtra Magazine. (2022). *Facebook (Meta) Profiting off Transphobic Documentary*. Retrieved from [Facebook is making millions off Matt Walsh's transphobic documentary | Xtra Magazine](https://www.xtramagazine.com/facebook-is-making-millions-off-matt-walshs-transphobic-documentary/)

¹⁰ More detailed information can be found here: GLAAD. (2023). *Social Media Safety Index 2023*. Retrieved from <https://assets.glaad.org/m/7adb1180448da194/original/Social-Media-Safety-Index-2023.pdf>

regulations or only enforcing them very loosely. While, in a lot of cases, according to GATE's study, activists use social media reporting tools to report false and harmful social media posts authored by anti-gender groups, these reports frequently get overlooked by social media platforms, and the content rarely gets taken down.¹¹

Globally, "family values," sex education, abortion rights, protection of children, and "Western ideology" represent the main discursive topics that anti-gender actors use in their public communication to spread and gain support for their agenda.¹² A possible explanation for this is that these issues remain topics that generate public fear and outrage in most contexts around the world. Another answer may lie in the nature of the global anti-gender movement, as these actors from various parts of the world are usually well-connected and share strategies and ideas with each other that are effective for pushing their agenda.

The UN Independent expert on sexual orientation and gender identity, in his recent report on the protection against violence and discrimination based on sexual orientation and gender identity in relation to the human rights to freedom of expression, peaceful assembly and association, has also highlighted the fact that in many countries, lawmakers and politicians increasingly leverage public hostility toward LGBT individuals as a political strategy to enhance their popularity.¹³ By exploiting existing prejudices and fueling divisive sentiments, they seek to attract media attention, rally voters, and further their political agendas.

It is necessary to highlight that the combination of social media algorithms that fuel hatred and lack of adequate policies and resource investment to address disinformation can result in atrocities, such was the case against the Rohingya population in Myanmar, where Facebook contributed to hate being spread, primarily through disinformation, which translated into real-world violence.¹⁴

"The role of social media is significant. Facebook has been a useful instrument for those seeking to spread hate, in a context where, for most users, Facebook is the Internet.

¹¹ GATE. (2023). *Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Global Report*. New York Available at:

https://gate.ngo/wp-content/uploads/2023/03/Global-report-on-the-impact-of-AG-opposition-on-TGD-and-LGBTQI-movements_GATE.pdf

¹² ibid.

¹³ Reid, G. (2024). *Protection against violence and discrimination based on sexual orientation and gender identity in relation to the human rights to freedom of expression, peaceful assembly and association* (A/HRC/56/49). United Nations Human Rights Council. Available at:

<https://www.ohchr.org/en/documents/thematic-reports/ahrc5649-protection-against-violence-and-discrimination-based-on-sexual-orientation-and-gender-identity>

¹⁴ Amnesty International. (2022, September). *Myanmar: Facebook's systems promoted violence against Rohingya – Meta owes reparations.*

<https://www.amnesty.org/en/latest/news/2022/09/myanmar-facebooks-systems-promoted-violence-against-rohingya-meta-owes-reparations-new-report/>

Although improved in recent months, the response of Facebook has been slow and ineffective. The extent to which Facebook posts and messages have led to real-world discrimination and violence must be independently and thoroughly examined. The mission regrets that Facebook is unable to provide country-specific data about the spread of hate speech on its platform, which is imperative to assess the adequacy of its response.”¹⁵

This demonstrates a critical need for social media companies to have robust policies, effective mechanisms and sufficient internal resources allocated for addressing disinformation.

C. The impact of disinformation on the enjoyment of human rights

The responses to GATE’s study show that in the case of trans and gender diverse and wider LGBTQI rights groups, the disinformation campaigns by anti-gender groups impact the human rights of the communities primarily in the areas of freedom of expression, association and assembly in the following main ways: 1. Psycho-emotional stress among human rights defenders, often leading to burnout (54% of respondents).¹⁶ This has a significant impact as the well-being of activists is the most critical factor in the ability of the organization to carry out its work effectively. 2. Advocacy opportunities become more limited, and activists have less capacity to reach decision-makers. This leads to limited access to funds, which puts constraints on their ability to fight for equality (27% of respondents).¹⁷ The impact does not stop there. Our respondents also reported the need to cancel events (18% of respondents) and the need to relocate staff, board and volunteers temporarily or permanently (9% of respondents).¹⁸ In some cases, they needed to stop operations altogether (9%), and physical harm (6%) was also reported.¹⁹

Moreover, many community members are no longer able to access trans and gender diverse/LGBTQI organizations’ services, which leaves them in even more vulnerable situations, especially when it comes to life-saving services related to HIV, psychoemotional support, and other medical, social, and legal assistance (24% of respondents).²⁰ Therefore, the right to health is also negatively impacted.

¹⁵ United Nations Human Rights Council. (2018). *Report of the Independent International Fact-Finding Mission on Myanmar* (A/HRC/39/64). Available at:

https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/FFM-Myanmar/A_HRC_39_64.pdf

¹⁶ GATE. (2023). *Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Global Report*. New York Available at:

https://gate.ngo/wp-content/uploads/2023/03/Global-report-on-the-impact-of-AG-opposition-on-TGD-and-LGBTQI-movements_GATE.pdf

¹⁷ ibid.

¹⁸ ibid.

¹⁹ ibid.

²⁰ ibid.

D. State, Company, and Organizational Responses

Measures Taken by Social Media Companies:

The services of digital (social media) companies have become one of the main tools and communication channels through which disinformation is being spread. To address this, some of these companies implemented moderation policies. Activists and civil society have been crucial in pushing for community safety policies. However, since the US presidential elections in 2024, Meta, the owner of Facebook, Instagram, and WhatsApp, removed fact-checkers and replaced them with community notes, similar to X (former Twitter).²¹ According to the new hate speech guidelines, Meta permits users to say LGBTQ people are mentally ill.²²

Measures Taken by Member States:

In 2023, the UK adopted the Online Safety Act, which, among other issues, aims to tackle disinformation.²³ The Act does not prescribe a single “disinformation removal” mechanism. Instead, it takes a multi-pronged approach to counter false or misleading information, including that which targets protected groups such as those defined by sexual orientation and gender identity. One key element is that the Act mandates the Office of Communications (OFCOM) to establish an advisory committee specifically focused on disinformation and misinformation. This committee’s role is to advise OFCOM on how providers of regulated services should tackle such content and on how to use OFCOM’s existing powers (for example, under the Communications Act and through media literacy initiatives) to mitigate its impact. Section 152 of the Act mandates that OFCOM must appoint members—including experts in disinformation—to ensure a robust, informed response to misleading content online.²⁴

At the same time, the Act’s user empowerment and content moderation duties are designed to prevent and swiftly remove content that is abusive or that incites hatred. In particular, provisions specify that content is considered abusive if it targets specific protected characteristics, including sexual orientation and gender reassignment (which covers aspects of gender identity).²⁵ Therefore, if disinformation is used as a vector for hate speech or to spread false and damaging narratives about people on the basis of their gender identity or sexual orientation, regulated service providers are required to take proportionate measures—such as risk assessments, transparent reporting and complaints mechanisms, and the provision of user controls—to mitigate its harm.

²¹ [Meta Says It Will End Its Fact-Checking Program on Social Media Posts - The New York Times](https://www.nytimes.com/2024/01/18/technology/meta-fact-checking-program.html)

²² [Meta’s new hate speech rules allow users to call LGBTQ people mentally ill](https://www.nytimes.com/2024/01/18/technology/meta-fact-checking-program.html)

²³ Legislation.gov.uk. (2023). Online Safety Act 2023, CHAPTER 50 Available at:

<https://www.legislation.gov.uk/ukpga/2023/50>

²⁴ ibid. Section 152

²⁵ ibid. Section 16

At the supernational level, the European Union has developed the EU's Digital Services Act (DSA).²⁶ The DSA introduced new rules to combat disinformation, which took effect for Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs) on 25 August 2023. The EU defines disinformation as the deliberate spread of false or misleading information to undermine trust in institutions, societies, or individuals. It can cause both public harm (e.g., electoral interference) and personal harm (e.g., reputational damage).

VLOPs and VLOSEs are required to prevent the spread of harmful content, even if it is not explicitly illegal under European Union law or the national laws of its member States. These platforms, identified by the European Commission, meet the threshold of at least 45 million average monthly active users within the EU.²⁷

E. Solutions

Disinformation poses significant challenges to freedom of expression, association, assembly, right to health, gender equality and non-discrimination, and democracy. Marginalized communities, including trans and gender diverse individuals, face disproportionate risks and harm due to the spread of disinformation. Effective regulation can hold accountable those who exploit their positions of power to spread harmful disinformation while also protecting the freedom of expression. By implementing appropriate regulations, it can be ensured that freedom of expression is not compromised by the unchecked power dynamics that perpetuate the spread of disinformation, ultimately fostering an environment where democratic principles are upheld, and marginalized communities can express themselves freely and participate fully in public discourse.

In combating gendered disinformation, we advise you to consider the following recommendations:

- To recognize that increasingly, disinformation campaigns target trans and gender diverse communities, especially trans women, and weaponize them for political objectives that go far beyond the trans community. In many cases, anti-trans disinformation is weaponized by far-right actors to gain political power and undermine democracy.

²⁶Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance). (2022). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065&qid=1666857835014>

²⁷ Chambers and Partners. (n.d.). *The Digital Services Act (DSA) and combating disinformation: 10 key takeaways*. <https://chambers.com/articles/the-digital-services-act-dsa-and-combating-disinformation-10-key-takeaways>

- To develop and implement a comprehensive international framework and mechanism, encouraging collaboration among States, digital companies and international organizations, that explicitly addresses disinformation.
- To encourage digital companies to adopt and enforce robust fact-checking and content moderation policies that proactively tackle disinformation while safeguarding freedom of expression.
- To encourage States to adopt comprehensive laws and mechanisms that hold corporations accountable for failing to have robust policies, mechanisms and resources allocated for addressing disinformation. These laws and mechanisms should not be abused to curb freedom of expression.
- To encourage States to invest in media, information, and digital literacy to equip individuals with critical thinking skills for distinguishing between verifiable and unverifiable, scientific and manipulative/unfounded information.
- To explore how digital technologies can be leveraged to detect disinformation, providing human fact-checkers with initial findings to support their final decisions on content removal.
- Examine the role of news aggregation in combating disinformation by curating content from diverse sources. Integrating news aggregation directly into social media platforms could enable a more transparent and comparative analysis of news coverage, helping users identify disinformation while preserving freedom of expression. By linking aggregated news sources to posts, platforms could provide multiple (including accurate and scientific) perspectives on the topic, empowering users with a broader understanding. A notable model of this approach is [Ground News](#), which already offers comparative news analysis.