

FEMINIST PRINCIPLES OF THE INTERNET:

INFORMATION

Principle on Information

About the Feminist Principles of the Internet (FPIs)

What is the right to information?

What is the relationship between access to public information and access to the internet?

What happens when information is not accessible?

What is the impact of disinformation?

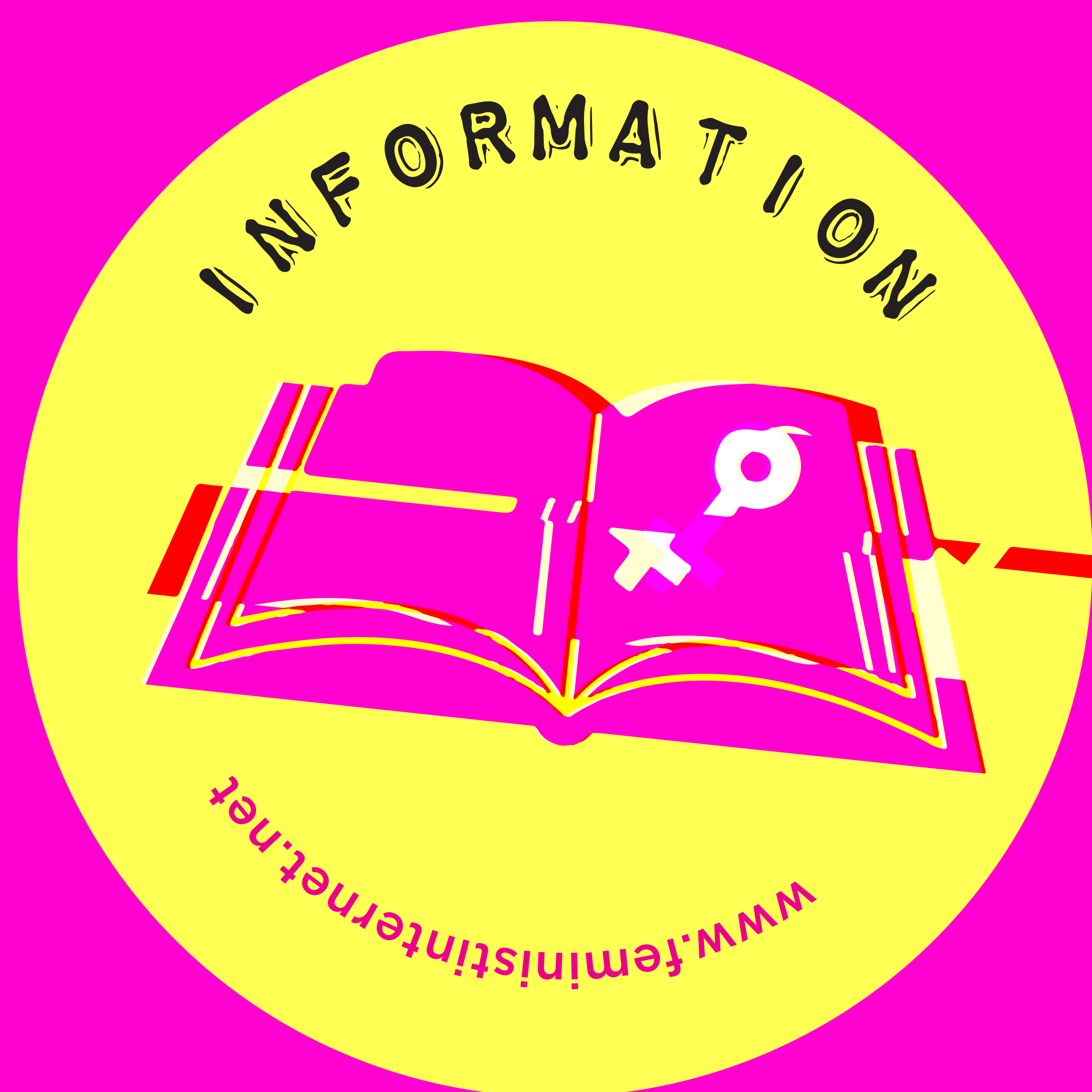
What are movements doing?

What should states and other intermediaries do?

Is our right to information covered in international human rights norms and standards?

Where can I learn more?

PRINCIPLE ON INFORMATION



“We support and protect unrestricted access to information relevant to women and queer persons, particularly information on sexual and reproductive health and rights, pleasure, safe abortion, access to justice, and LGBTIQ issues. This includes diversity in languages, abilities, interests and contexts.”

ABOUT THE FEMINIST PRINCIPLES OF THE INTERNET (FPIS)

The Feminist Principles of the Internet (FPIs) are a number of principles that articulate an evolving set of concerns in relation to the internet and human rights, with a special focus on how gender and sexuality are located in diverse communities' experiences of the internet. They were drafted over a series of feminist gatherings. The first of these was called "Imagine a Feminist Internet", and took place in Malaysia in April 2014. The meeting was organised by the Association for Progressive Communications (APC) and brought together 50 activists and advocates working in the fields of sexual rights, women's rights and gender equality, violence against women/gender-based violence, and digital rights. The meeting was designed as an adapted open space where topics were identified, prioritised and discussed collectively.

A group of volunteers from the meeting drafted version 1.0 of the FPIs. This was subsequently brought to different workshops and events, local and global, and then to a second "Imagine a Feminist Internet" meeting in July 2015, where a new group of 40 activists discussed, elaborated on and revised the FPIs. The new version was published on the feminist internet website in August 2016, where anyone can expand the principles by contributing resources, commenting, or offering localised translations.

Currently there are 17 principles, organised into five clusters: Access, Movements, Economy, Expression and Embodiment. A new cluster on Care and the Environment is planned for 2022. Together, they aim to provide a framework for movements working to advance gender justice and human rights, to articulate and explore issues related to technology through a feminist lens.

For more information on FPI-related events, click [here](#).

For Frequently Asked Questions, click [here](#).

Get in touch with us [here](#).

WHAT IS THE RIGHT TO INFORMATION?

The right to information is increasingly protected in many national contexts and in international human rights law. In international human rights law, the right of access to information is recognised under the same articles that protect freedom of expression, and both are normally seen as two sides of the same coin. People need information to form their opinions, views, ideas and preferences, and then they need freedom to express them, if that is what they wish.

Article 19 of the International Covenant on Civil and Political Rights (and similar articles in the regional human rights treaties from the Inter-American, African and European human rights systems) refer to the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of one's choice.

In 2000, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression stated that access to information is not merely a “corollary of freedom of opinion and expression; it is a right in and of itself. As such, it is one of the rights upon which free and democratic societies depend.”¹

1. Hussain, A. (2000). *Report of Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*. E/CN.4/2000/63. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G00/102/59/PDF/G0010259.pdf?OpenElement>

In 2011, the UN Human Rights Committee issued General Comment No. 34,² in which it provides a detailed interpretation of what the right of access to public information should entail:

- Access to information includes records held by a public body, regardless of the form in which the information is stored, its source and the date of production.
- The expression “public bodies” should include executive, legislative and judicial branches and other public or governmental authorities, at whatever level – national, regional or local.
- In addition, “public bodies” may also include other entities when such entities are carrying out public functions.
- The right of access is related to the right to privacy: every person has the right to ascertain whether, and if so, what personal data is stored in automatic data files, and for what purposes.
- States’ decision making that may substantively compromise the way of life and culture of a minority group should be undertaken in a process of information sharing and consultation with affected communities.
- States should proactively put in the public domain government information of public interest. States should ensure easy, prompt, effective and practical access to such information.
- States parties should also enact the necessary procedures, whereby one may gain access to information, such as by

2. <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

means of freedom of information legislation. These procedures should provide for the timely processing of requests for information according to clear rules that are compatible with international human rights law.

- Fees for requests for information should not constitute an unreasonable impediment to access to information.
- Authorities should provide reasons for any refusal to provide access to information.
- Arrangements should be put in place for appeals in response to refusals to provide access to information, as well as in cases of failure to respond to requests.

At the national level, access to information laws (ATI laws) or freedom of information acts (FoIAs) mostly refer to the protection of people's access to information produced or held by state bodies. Some ATI laws also provide access to public interest information held by private entities, such as the South African legislation. But in addition to ATI laws, more recently the right of access to information has also been secured by data protection norms, ensuring that people can have access to information and data about themselves, including information held by private entities, such as internet platforms. For example, article 15 of Europe's General Data Protection Regulation (GDPR) protects the data subject's right to access their own data.³ According to UNESCO, 135 UN member states have adopted constitutional, statutory and/or policy guarantees for public access to information.⁴

3. <https://gdpr-info.eu/art-15-gdpr>

4. <https://www.unesco.org/en/access-information-laws>

Our principle emphasises women and gender-diverse people's right to produce, disseminate and access critical information on gender and sexuality within the struggle for the right to free, transparent and open information for all. This means that:

- Women and LGBTQI+ people should not be discriminated against when presenting requests for public information.
- States have an obligation to produce and proactively publicise critical information and data on gender and sexuality, including information on sexual and reproductive rights, information on violence against women and gender-diverse people, and information on discrimination in labour relations, among others.
- Women and gender-diverse people should have access to the means of communication to distribute, disseminate and amplify their opinions, views, ideas and struggles.
- When imparting information on gender and sexuality, women and gender-diverse individuals should not be subject to censorship (be it through laws, policies or practices).

WHAT IS THE RELATIONSHIP BETWEEN ACCESS TO PUBLIC INFORMATION AND ACCESS TO THE INTERNET?

The internet offers breakthrough opportunities around citizens' access to information. Today, access to the internet is widely seen as an indispensable enabler of a broad range of human rights – and this has been recognised in UN Human Rights Council and General Assembly resolutions and Special Procedures and Office of the High Commissioner for Human Rights (OHCHR) reports.

The UN Secretary-General recently affirmed that it might be time to reinforce universal access to the internet as a human right. According to him, “The Internet has provided access to information for billions, thereby fostering collaboration, connection and sustainable development. It is a global public good that should benefit everyone, everywhere.”⁵ People increasingly access relevant information for their daily decisions and for the exercise of their rights through the internet and, therefore, ensuring access to the internet may be a requirement for meaningful access to information in our digital societies.

Of course, not everyone is or wants to be connected. Addressing the digital divides is a crucial step for ensuring the right of access to information. On this issue, see our advocacy brief on access.⁶

5. Guterres, A. (2021). *Our Common Agenda: Report of the Secretary-General*. https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf

6. APC. (2023). *Feminist Principles of the Internet: Advocacy brief on access*. <https://genderit.org/index.php/FPI-paper-on-access>

WHAT HAPPENS WHEN INFORMATION IS NOT ACCESSIBLE?

There are many barriers affecting our ability to freely and safely access information, in accordance with our rights. A major one is censorship, the act of prohibiting or penalising the publication of certain kinds of information, or simply restricting our access to it.

Withholding information from the public may play into government and corporate interests. In the case of information on sexuality, lack of information serves to preserve the patriarchal and heteronormative order. For example, women's expressions of sexuality or queer or other non-normative expressions of gender and sexuality are more likely to be censored or regulated in some way online than those of others.⁷ Expression and information considered "sexual" in nature are considered inherently harmful, and therefore often censored, leading to the erosion of certain communities' right to information as well as infringing on their freedom of expression. Expression related to women's bodies, health and nudity are more likely to be considered "sexual" and therefore harmful – for example, consider the "#freethenipple" debate.⁸ Sexually and gender-diverse persons, sex workers, and

7. York, J. C. (2017, 7 December). Adult Content Policies: A Textbook Case of Private Censorship. *Electronic Frontier Foundation*. <https://www.eff.org/deeplinks/2017/12/adult-content-policies-textbook-private-censorship-fail>; York, J. C. (2018, 24 October). Blunt Policies and Secretive Enforcement Mechanisms: LGBTQ+ and Sexual Health on the Corporate Web. *Electronic Frontier Foundation*. <https://www.eff.org/deeplinks/2018/10/blunt-policies-and-secretive-enforcement-mechanisms-lgbtq-and-sexual-health>

8. Bonaguro, A. (2015, 10 July). Why Are Women's Nipples Banned in Public and on Instagram, but Men's Nipples Aren't? *Men's Health*. <https://www.menshealth.com/sex-women/a19545146/nipple-double-standard>

many other women, girls and young people face disproportionately high rates of censorship, as well as having their ability to access information restricted in some way.

Under the guise of protecting children, children's and young people's ability to access information that could help prevent violence, expand access to life-saving knowledge and services, and assist them in exploring their sexuality, gender and health, is restricted by many private entities,⁹ often supported by public policy and law. Across many country contexts, from Brazil to India to the USA and Australia, governments use various tools, such as "blacklisting" certain websites, filtering systems (e.g. filtering by keyword) and ISP-based blocking, to censor and regulate information related to sexuality and gender.¹⁰ Private entities also enact policies which too often align with conservative and/or government positions, in a bid to remain operational and commercially viable in multiple complex jurisdictions.

9. York, J. C. (2021, 18 August). How LGBTQ+ Content is Censored Under the Guise of "Sexually Explicit". *Electronic Frontier Foundation*. <https://www.eff.org/deeplinks/2021/08/how-lgbtq-content-censored-under-guise-sexually-explicit>

10. Association for Progressive Communications. (2010). *Media brief: Censorship, sexuality and the internet*. <https://www.apc.org/en/node/10262>

WHAT IS THE IMPACT OF DISINFORMATION?

We not only have the right to information – we have the right to sound, accurate, verifiable and critical information, whenever needed. Today, however, too often bad actors may seek to distort information and/or produce and disseminate disinformation that is meant to mislead and confuse.

Disinformation has gendered dimensions:

- Conservative, anti-feminist actors weaponise it against women human rights defenders, feminist activists, and sexually and gender-diverse people, to stigmatise, harass and discredit them.
- “Gender”, as a conceptual framework and a ground for advocacy, is invoked in disinformation campaigns to distract and to create alarm and panic. Campaigns about so-called “gender ideology” by far-right actors, for example, aim at “nourishing moral panics that distract societies from structural issues that they should be debating, such as growing inequalities of gender, class, race and ethnicity.”¹¹

Disinformation campaigns are often highly coordinated, well-funded, and triggered by state, state-sanctioned and other political actors vying for ideological influence; some are also promoted by religious or community leaders. The impacts of

11. Corrêa, S. (2017, 11 December). Gender Ideology: tracking its origins and meanings in current gender politics. *Engenderings: London School of Economics*. <https://blogs.lse.ac.uk/gender/2017/12/11/gender-ideology-tracking-its-origins-and-meanings-in-current-gender-politics>

these campaigns are disproportionately felt by women, especially women belonging to minoritised groups, such as racialised women, refugees and migrants, and sexually and gender-diverse persons. In New Zealand, for example, researchers observed a major uptick in disinformation targeting trans communities and their allies in early 2023, aimed at normalising anti-trans violence and hate,¹² following a “speaking tour” by British anti-trans advocates in Australia and New Zealand.¹³

In her 2021 report on freedom of expression and gender justice, the UN Special Rapporteur on the promotion and protection of freedom of opinion and expression stated:

The harm caused by online violence, sexist hate speech and disinformation are real and diverse, affecting the mental and physical health of those targeted, undermining their confidence and autonomy, stigmatizing them and generating fear, shame, and professional and reputational damage. [...] The overall objective is to intimidate and silence female and non-binary journalists, writers, artists and politicians and drive them out of digital spaces. Since online networks are the dominant space for freedom of expression in the digital age, silencing such voices online may prevent them from being heard at all, reducing diversity and affecting democratic debate.¹⁴

12. The researchers work at The Disinformation Project (<https://thedisinfoproject.org>) and termed the anti-trans hate rhetoric as “genocidal”.

13. Hattotuwa, S, Hannah, K., & Taylor, K. (2023). *Transgressive transitions: Transphobia, community building, bridging, and bonding within Aotearoa New Zealand's disinformation ecologies March-April 2023*. The Disinformation Project. <https://thedisinfoproject.org/wp-content/uploads/2023/05/Transgressive-Transitions.pdf>

14. Khan, I. (2021). *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*. A/76/258. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/212/16/PDF/N2121216.pdf?OpenElement>

She also noted, in her 2021 report to the Human Rights Council on disinformation:

Online gendered disinformation campaigns are increasingly being used to deter women from participating in the public sphere, mixing “old ingrained sexist attitudes with the anonymity and reach of social media in an effort to destroy women’s reputations and push them out of public life”. Women journalists, politicians and gender equity advocates who speak out on feminist issues are particularly targeted. There is also significant disinformation around the issue of sexual and reproductive health.¹⁵

Disinformation is not a new phenomenon. What is new is that digital technology has provided new tools and strategies that may facilitate the quick dissemination and amplification of this type of content. Lack of access to diverse and plural information, including poor availability of information on gender and sexuality, create a knowledge gap and a deficit in data and information that may open the way to gendered disinformation.

15. Khan, I. (2021). *Disinformation and freedom of opinion and expression: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*. A/HRC/47/25. <https://www.ohchr.org/en/documents/thematic-reports/ahrc4725-disinformation-and-freedom-opinion-and-expression-report>

WHAT ARE MOVEMENTS DOING?

Freedom of information bills and access to information laws have been pushed by freedom of information groups acting at the national and regional level. These movements have been very well organised in Latin America, Eastern Europe and Africa, with important progress made in terms of the number of norms approved in these regions in the past 20 years. After campaigning for dedicated laws, these movements work to monitor their implementation and incrementally improve accessibility of information, through both proactive and passive (responsiveness to information requests) transparency. A number of these groups also work on related issues, such as public participation, anti-corruption and open government.

Movements dedicated to principles such as “open access” and “open source” are also often on the frontlines of the struggle for the right to information. Open access movements fight to ensure that knowledge can be shared freely and safely (e.g. the Free Libraries Network in South Asia),¹⁶ and open source technologies enable diverse people and communities to inspect, modify and enhance the source code of various softwares (e.g. Mozilla Firefox). Advocacy from movements has long sought to strengthen legal protections for the right to information across diverse contexts, often going hand-in-hand with advocacy around

16. Follow them on Twitter @FreeLibNetwork or Instagram @freelibrariesnetworkfln

freedom of expression, association and assembly. Networked communities continue to be an essential part of the information ecosystem. (See our advocacy brief on access for more on this issue.)¹⁷ Feminist movements are also dedicated to producing, disseminating and amplifying important information on gender and human rights, sexual and reproductive rights and health, sexuality and disability (e.g. Skin Stories from Point of View),¹⁸ children's and young people's rights, and much more. Feminist initiatives such as Take Back the Tech!¹⁹ seek to provide a safe and secure platform for sharing, documenting and finding information about technology-facilitated gender-based violence. APC research initiatives such as the Feminist Internet Research Network (FIRN)²⁰ or the EROTICS exploratory studies on sexual rights and ICTs²¹ are also some other examples of feminist movement efforts to produce and disseminate valuable information. Similarly, there are many organisations, activists and groups committed to the protection of the right to information, free from censorship and manipulation. These groups push for various strategies for increased transparency and accountability.

17. APC. (2023). Op. cit.

18. <https://medium.com/skin-stories>

19. <https://takebackthetech.net>

20. <https://firn.genderit.org>

21. <https://erotics.apc.org>

WHAT SHOULD STATES AND OTHER INTERMEDIARIES DO?

States have an obligation to protect and promote the right to information. Government bodies must respect international obligations concerning the disclosure of information held by public authorities. This means strengthening protections for whistleblowers, making public access to records easier, and ensuring that they are not engaging in information blackouts, censorship or unnecessary curtailment of access to information. This also means ending the criminalisation of certain kinds of speech, such as sexual expression, while protecting marginalised persons and communities from legitimate threats of violence. This entails rigorously reviewing existing legislation, and in some cases, repealing existing laws and enacting better ones, with clear limitations and definitions.

Due to the complex nature of the contemporary digital landscape, states also have an obligation to review and reassess the confluence of public/private holders of information, in order to create greater transparency and accountability within public institutions and private institutions, such as tech companies, who hold public interest information.

Tech corporations and social media platforms have a duty to immediately adopt processes that make it easier for the public to access their own data, for free, and also allow them to make decisions regarding the lifespan and storing of their data.

IS OUR RIGHT TO INFORMATION COVERED IN INTERNATIONAL HUMAN RIGHTS NORMS AND STANDARDS?

As mentioned above, many international human rights bodies have recognised the right to information as a human right. To mention a few of them:

- The Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights (ICCPR), both cover the right to seek and receive information as an element of freedom of expression. The right to information is also protected in the Convention of the Rights of the Child and the Convention on the Rights of Persons with Disabilities. It is also promoted by the Sustainable Development Goals.
- The right to information and best practices that foster access to information have been mentioned and emphasised in several reports and resolutions of the Human Rights Council.
- Other regional instruments have also extensively recognised the right to information. For example, in the Americas, the Organization of American States (OAS) Special Rapporteur on freedom of expression has frequently recognised this right; a Declaration of Principles on Freedom of Expression in Africa was adopted by the African Commission on Human and

Peoples' Rights in 2020; and the Council of Europe Convention on Access to Official Documents published in 2020 is the first binding international legal instrument which that recognises a general right of access to official documents held by public authorities.

We have compiled [a listing of selected annotations](#) regarding the right to information from international and regional agreements and statements to support you in your policy advocacy endeavours.

PRINCIPLE ON INFORMATION

Promoting gender equity in the right of access to information
(UNESCO)

<https://unesdoc.unesco.org/ark:/48223/pf0000381684>

Tackling gender inequality through access to information
(ARTICLE 19)

<https://www.article19.org/resources/tackling-gender-inequality-through-access-to-information>

Women and the Right of Access to Information (Carter Center)

<https://www.cartercenter.org/peace/ati/women.html>

Access to Information, Violence against Women, and the
Administration of Justice in the Americas (Inter-American
Commission on Human Rights)

[https://www.oas.org/en/iachr/reports/pdfs/
access-information.pdf](https://www.oas.org/en/iachr/reports/pdfs/access-information.pdf)

Feminist Internet Research Network (APC)

<https://firn.genderit.org>



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