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Statement submitted by IT for Change, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

In the epoch of expanding data capitalism, there is an urgent need for a feminist re-evaluation of how digital technologies are transforming economic and social relations. Digital technologies signify a techno-social paradigm wherein data and Artificial Intelligence (AI), as the means of production, become the ordering tool par excellence, conferring social power and privilege on those who control them. Digitalisation has overhauled global value chains, unleashing a new epoch of colonisation, marked by gendered exploitation.

The COVID-19 pandemic only intensified the digital juggernaut, enveloping hitherto excluded people and places into the extractivist paradigm of Big Tech corporations. This paradigm augments global inequality and injustice, ‘adversely incorporating’ (Heeks, 2022) women of oppressed races and castes (Gurumurthy et al., 2021). It exacerbates gender-based violence, thwarting women’s ability to participate as equal citizens, and bringing new risks in the age of the metaverse (World Economic Forum, 2022).

Against this backdrop, IT for Change calls for a gender-transformative re-structuring of the digital society and economy based on values of redistributive justice, egalitarianism and equal participation.

Theme 1: Economy and Labour

1.1 Data must be recognised as an economic and social resource that needs to be governed towards fair and just economies and societies, with foundational data rights (enshrined in a global, multilateral treaty) to advance individual and collective autonomy. The current status quo in global governance fails to recognise data as a social commons. Global standards for data and Artificial Intelligence need to protect all three generations of human rights, including the right to development, environment, and self-determination, especially of marginalised women, whose co-option as data subjects into digital value chains represents the pernicious frontiers of surveillance capitalism.

1.2 Concentration of market power in the hands of a few transnational corporations must be addressed to enable women’s participation in the digital economy on an equal footing. The binding treaty process to truncate the powers of transnational corporations acquires accelerated importance as global platform companies monopolise and control digital spaces, and techno-imperialism undermines data sovereignty of peoples and nations, distinctively impacting women of the Global South (Gurumurthy et al., 2019). Big Tech tax evasion through base erosion and profit shifting impacts the ability of developing countries to raise fiscal resources for social and care infrastructure.

1.3 Investment in public digital infrastructure, financing mechanisms, and social and solidarity economy alternatives are urgently needed to explore the promise of entrepreneurial opportunities for women in the platform economy, without individualising the steep costs of participation for women, who tend to lack the socio-economic capital needed to survive in the entrepreneurial marketplace.

1.4 Governance of global to local digital public goods and infrastructure must be done through democratic mechanisms rooted in principles of equity and gender justice. Digital public infrastructures are crucial to ensure equity and universality of benefits from innovation. At the same time, such ecosystems – including in governance and public services – need to be fostered through gender-intentional frameworks, ringfenced from private capture.

1.5 Right to decent work must be redefined to include civic-political and economic claims of women workers in data, so that women are able to challenge data harms at the workplace and claim their rights to access, audit, and benefit from data they co-generate as workers.

1.6 Corporations must be held accountable for upholding women's human rights in downstream value chains. Due diligence guidelines like the proposed European Union Directive must ensure that multi-national corporations protect women's workers' data rights in host countries – with accountability for the harmful consequences of bias, discrimination and human rights violations caused by their Artificial Intelligence-based models. This must include adverse impacts on indigenous knowledge, and sustainability of traditional livelihoods.

1.7 New rules are needed to recalibrate international regimes in intellectual property, taxation, biodiversity, health, competition etc., to urgently remedy the gender injustices perpetuated by the data and Artificial Intelligence paradigm.

Theme 2: Mitigating Online Gender-Based Violence

2.1 Online gender-based violence must be recognised for the harms to women's rights to public participation and citizenship. The form and virulence of online violence is shaped by the identity and social location of the targeted women such as their race, religion, caste, class, disability, gender identity, and sexual orientation as well as presence in public-political life.

The coercive de-platforming of women due to online violence severely curtails their participation and representation in the public sphere, virtual workplaces and the digital economy and society, in general.

2.2 Online gender-based violence should be recognised as a corporate human rights abuse. The logic of the attention economy underpinning the operation of the social media platforms prioritises virality and sensationalism, resulting in the amplification of abusive and hateful content.

The architecture of corporate impunity that permits social media companies to shrug off responsibility for the human rights abuses on their platform must be dismantled. While the United Nations Guiding Principles on Business and Human Rights provide the much-needed baseline for responsible corporate conduct, digital society and its gendered discontents unequivocally argue the need to call out corporate complicity in violating women's human rights, and to actively restrain corporate impunity through the rule of law. Corporations must be held accountable and legally liable for the civil or criminal offences arising in the human rights violations they perpetuate through their systems, policies and practices that prioritise profit interests over the safety and rights of their users, especially women users, who disproportionately bear the costs of vulnerability and harm.

2.3 Social media companies must invest in capabilities to arrest the algorithmic amplification and viral spread of misogynist content and take pre-emptive measures to prevent high-speed virality on their platform, encouraging users to reflect on the content that they post. The issue of misogynistic trolling is not just about the content of abusive speech, but also the volume and frequency of such messages that contribute to their potency and toxicity (Gurumurthy & Dasarathy, 2022).

Social media platforms should improve their content moderation systems by investing in human moderators who are aware of regional language, context, and cultural nuances. Transparency in platform governance, especially with respect to content moderation and algorithmic recommendation systems, and accessible

grievance redressal mechanisms, are indispensable to an effective platform response to counter online gender-based violence (Gurumurthy & Dasarathy, 2022).

2.4 Special comprehensive national laws, rooted in notions of privacy, equality and dignity, must be enacted to deal with online gender-based violence. In many countries, provisions to deal with online gender-based violence are scattered across laws, inadequate to deal with the peculiar nature of online violence, and often couched in patriarchal notions of modesty, decency or public morality, that fundamentally misrecognise the harm caused by such online violence to women’s agency and free expression (Gurumurthy et al, 2018). Legal and institutional responses must move away from such protectionist stances and shift to an autonomy-enhancing model. Such a shift should also be reflected in judicial thinking, as our recent study offers proof that when courts understand the harm perpetrated by online violence on the foundation of established rights, rather than on social, moral, and patriarchal norms, there is a glimmer of justice for the survivors (Rajkumar and Sen, 2022).

Theme 3: Role of the United Nations

3.1 The United Nations system needs to respond with alacrity to effectively tackle the threat and harm of gender-based exclusion and exploitation in the digital society and economy through bold and timely action to promote an egalitarian, just, and participatory digital society capable of creating public and social value to further gender equality. Building on the human rights instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the United Nations needs to envision global digital cooperation as the unfinished mandate of the World Summit on the Information Society process for a brave new multilateral system, to “build a people-centred, inclusive and development-oriented information society.” This goal needs an honest recognition of the ills of corporate capture of the digital commons, and equally, a resolute commitment of all governments to gender justice as a non-negotiable cornerstone of global to local democracy.

3.2 The Global Digital Compact must be rooted in feminist visions of data and Artificial Intelligence governance, paving the way for digital sovereignty of peoples and nations and the dignity and autonomy of women as an essential ingredient to democratise the opportunity to create and benefit from digital innovation.

3.3 The Global Digital Compact must envision clear commitments through Official Development Assistance for the financing of digital innovation ecosystems and institution development in the Global South, to strengthen gender-equality outcomes, including in public services, local livelihoods, and women’s public participation.