Commission on the Status of Women
Sixty-seventh session
6–17 March 2023
**Follow-up to the Fourth World Conference on Women and to
the twenty-third special session of the General Assembly
entitled "Women 2000: gender equality, development and
peace for the twenty-first century"**

Statement submitted by Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit - COC Nederland, GIN SSOGIE NPC, Global Network of Sex Work Projects Limited, International Lesbian and Gay Association, International Service for Human Rights, OutRight Action International, Stichting CHOICE for Youth and Sexuality, and Swedish Federation of Lesbian, Gay, Bisexual and Transgender Rights - RFSL, non-governmental organizations 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.

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* The present statement is issued without formal editing.

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Statement

The Commission on the Status of Women's 67th Session priority theme, "Innovation and technological change, and education in the digital age for achieving gender equality and the empowerment of all women and girls," provides an opportunity for the international community to commit to ensuring fuller inclusion of lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people in education and technology policies, laws and programs while also addressing necessary gaps.

These populations and those that defend their rights experience multiple and intersecting forms of discrimination, oppression, violence, stigma, inequality, and harmful social and cultural norms, which hinders full, equal and meaningful inclusion and participation and increases their risks and vulnerabilities in digital and in-person spaces. This includes discrimination in access to health, education and social services, safe and adequate housing, decent work and sustainable livelihoods, safe spaces and opportunities for community building, and other basic human rights. The criminalization and pathologization of lesbian, bisexual, transgender, intersex, and gender non-conforming women, girls, and people's identities, as well as sex workers, along with barriers trans people face in accessing identity documents that accurately reflect their gender identity, exacerbate these inequalities.

They experiences specific opportunities as well as risks and challenges in access to education and in digital spaces. Digital spaces are crucial to them, as this is where they gain access to information, organize, and build communities online. At the same time online spaces also mean exposure to daily threats to digital and physical security, including online surveillance, harassment, cyber bullying, and hate speech, among other violations, by State and non-State actors.

Education

Discrimination in schools and other educational settings are impairing the ability of young people perceived as lesbian, bisexual, transgender, intersex, or gender non-conforming to access and enjoy quality education and lifelong learning. In some cases, education authorities and schools actively discriminate against young people because of their sexual orientation, gender identity or gender expression. This includes refusing admission, disciplining, or expelling such youth. In addition, lesbian, bisexual, transgender, intersex and gender non-conforming youth frequently experience violence and harassment from classmates and teachers. Confronting this kind of prejudice and intimidation requires concerted efforts from school and education authorities and the integration of principles of non-discrimination and diversity in school policies, curricula and discourse. Surveys and studies conducted by human rights organizations also show that lesbian, bisexual, transgender, intersex, and gender non-conforming young people face high rates of cyberbullying and harassment. These experiences lead to longer term mental and physical health impacts.

In places where lesbian, bisexual, transgender, intersex and gender non-conforming youth are supported, by policies and teachers, they are pivotal in bringing positive change and creating a safer school environment for all learners, regardless of their sexual orientation, gender identity expression, or sex characteristics. Resulting in, among other, higher school attendance rates. In order to fully achieve Sustainable Development Goal 4 and ensure inclusive and equitable quality education and promote lifelong learning opportunities for all, education systems must guarantee access to education without discrimination and harassment,

including on grounds of sexual orientation, gender identity and expression, and sex characteristics.

Moreover, in order to equip young people to lead healthy lives, make informed decisions, and protect themselves and others from sexually transmitted infections, young people need to receive comprehensive and accurate information regarding sexuality. As the Special Rapporteur on the Right to Education has stated, "in order to be comprehensive, sexual education must pay special attention to diversity since everyone has the right to deal with his or her own sexuality."

Digital inclusion and exclusion

Access to information and the ability to connect virtually and physically can support and empower communities, advance human rights organizing, and even save lives. The internet and related digital technologies, including social media, are important tools for marginalized groups, including lesbian, bisexual, transgender, intersex, and gender non-conforming women, girls and people to access services, find information and build community. Governments are responsible to facilitate wide access for everybody.

Online censorship is widespread and numerous governments have blocked websites that focus on lesbian, gay, bisexual, transgender, intersex and gender non-conforming issues, as well as workspaces of sex workers and forums where they used to build community and share safety-related information, due to targeting of these populations and their rights. When combined with repressive laws, including, criminalization of consensual private same-sex relations or non-conforming gender expressions an environment of non-democratic rule and widespread restrictions on civil society are prevalent. Censorship feeds a social environment of violence and discrimination and creates difficult barriers for marginalized communities to get information and services from their peers. Online surveillance and hostility leads to offline violence and increased stigma and discrimination, affecting mental health, safety, security, and ability for lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people to lead full and productive lives.

Given the importance of digital technologies for these populations to connect with each other and with valuable information, digital exclusion, and online harassment and cyberbullying, can be particularly harmful to them. Strong legislation, strategies, policies, and programs must address these specific realities and vulnerabilities to ensure the lives and well-being of lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people are protected and addressed.

Safety and security

Lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people are frequently and disproportionately harassed and intimidated through the internet and related technologies, impairing their ability to remain safe and to exercise their full human rights. Those who face multiple and intersecting forms of discrimination due to their gender, age, race, ethnicity, ability, class, caste, socioeconomic status, migration status, and other factors that drive exclusion are even more susceptible to experience these kinds of violence.

Bias and stigma towards gender diversity and dissidence, coupled with other factors that motivate abuse and violence, make lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people at risk of experiencing abuse and violence, including in the digital format, from strangers, community and family members as well as intimate-partners. Breaches of safety and security online are particularly concerning in states where their identities are criminalized or subject to

punitive laws, as online identification and surveillance in these contexts can contribute to violence.

From bullying young people online to exposing people's sexual orientation or gender identity on digital applications to identifying and targeting human rights advocates, lesbian, bisexual, transgender, intersex, and gender non-conforming women, girls, and people are targeted around the globe simply by who they are and the work they do. This is why the protection of their rights can be the difference between life and death. When human rights violations happen, continued stigma and discrimination also deter many from seeking State and non-State assistance for fear of even more ostracization or harassment. Policymakers, practitioners, and all stakeholders must work together to prioritize online safety and security that is accessible to all, including those in rural areas, in order to protect, respect and ensure the human rights of lesbian, bisexual, transgender, intersex and gender non-conforming women, girls and people inside and outside of digital spaces. Moreover, human rights organizations need to have enough resources, including technical resources, to ensure their ability to undertake regular holistic safety and security education and training to provide up-to-date information on new technology.

Conclusions

The Convention on the Elimination of All Forms of Discrimination Against Women, the Beijing Declaration, and Our Common Agenda call for an intersectional approach that puts an end to violence, discrimination, and exclusion. All policies and programmes on innovation, technology and education must address and combat the marginalization of lesbian, bisexual, transgender, intersex, and gender non-conforming women, girls and people, and sex workers including ending digital harassment, censorship and guaranteeing equitable access to information. The development of new and safe technologies is only possible through universal inclusion and respect for human rights. The digital age ought to be harnessed to equalize opportunities, but without a commitment to include lesbian, bisexual, transgender, intersex, and gender non-conforming women, girls and people, technological change will further entrench inequality and states will fail to achieve gender equality and the goal to leave no one behind.

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