



## **Submission to the MSI-eSEC Public Consultation on the Draft CM Recommendation on Online Safety and Empowerment of Users and Content Creators**

### **I. Introduction**

This submission is made jointly by TGEU – Trans Europe and Central Asia and the Institute for Journalism and Social Change (IJSC). TGEU is a membership organisation of over 210 trans rights organisations across over 50 countries in Europe and Central Asia advocating for better protections for the rights of trans communities. IJSC is an international initiative connecting journalists, researchers, and activists to strengthen rights-defending ecosystems and disrupt anti-rights actors through cross-border investigations, actionable research, and initiatives like a feminist investigative journalism MA and practical handbooks.

We welcome the Council of Europe’s draft Recommendation as a timely and necessary step toward protecting the digital rights of users and content creators. The emphasis on freedom of expression, democratic participation, and protection from online harm reflects the growing urgency of addressing the hostile environments many marginalized creators face online. However, we are concerned that the draft does not sufficiently recognize the specific risks faced by trans (including transgender, non-binary, and gender-diverse people) users and content creators, who experience and receive hate online merely for expressing their identity. While the text rightfully refers to LGBTI people and “women and girls,” it overlooks the widespread hate speech that disproportionately targets trans people. These harms intersect with misogyny but extend far beyond gender binary categories. Trans content creators challenge gender stereotypes and gendered laws and policies, and the gendered ways in which our society is constructed even if they are not necessarily producing content on these topics on online platforms, making them especially vulnerable to online gender-based violence and the subjects of gendered disinformation.

This submission focuses on the experiences of trans people who post content online or are content creators and the specific risks and dangers they face by being visible and active on social media platforms. It is based on the responses to a survey developed for a collaborative TGEU-IJSC project investigating trans people’s experiences of hate speech online and the responses of platforms. The survey was developed in March 2025 and was circulated to 188 trans content creators. We received 30 responses from trans people in 16 countries in the Council of Europe region (Azerbaijan, Czech Republic, Finland, France, Georgia, Germany, Ireland, Italy, Latvia, Netherlands, Northern Cyprus, Norway, Poland, Romania, Switzerland, Ukraine) in 10 languages. This submission summarises their responses and highlights the need for specific and explicit protections for trans people as part of all actions to secure fundamental rights in online spaces, protect online safety of users, and empower users online.

### **II. Threats and risks faced by trans content creators online**

Trans users and content creators across the Council of Europe region routinely face hate speech, coordinated abuse, misgendering, and platform bias at disproportionately high rates.

#### **Routine harm:**

Trans content creators face an unrelenting wave of online abuse. Our survey data shows that more than half experience hate speech daily, and another third weekly, leaving almost no reprieve from harassment. As participants in our webinar described, this is not limited to overtly political or activist content: even simple videos, such as walking down the street or sharing everyday life, attract hate. This constant exposure to hostility aligns directly with the draft Recommendation’s description of “identity-based and intersectional targeting” as a core online risk to freedom of expression (Section II, para. 16c).

**Targeted silencing:**

The abuse is both frequent and explicitly aimed at erasing trans people from online spaces. Respondents reported misgendering, deadnaming, and denial of existence as their most common experiences, often accompanied by dehumanising slurs and threats. Comments such as “you will never be a real woman,” “he’s a man,” and “groomer” were repeated across languages. In some cases, the harassment escalated to graphic threats of sexual violence and death, including videos of guns being loaded and bullets marked with creators’ names. One Albanian creator described receiving over 500 comments threatening rape on a single video about a pride event, while others reported credible offline threats inspired by online harassment that triggered police involvement. These patterns demonstrate how online risks translate into real-world harm, as outlined in Section II of the draft Recommendation, paras. 12–14.

The emotional and professional toll is significant. Creators described prolonged fear, isolation, and mental health strain, often leading to the deletion of posts, self-censorship, or abandonment of platforms entirely. For some, this directly impacts income and professional opportunities, creating a chilling effect that restricts participation in public discourse. This directly undermines the Recommendation’s aim of fostering an enabling online environment where users can express themselves without undue interference (Section I, para. 3 and Section V, para. 55).

**Platform and systemic failure:**

Survey responses and testimony from content creators highlight that platform responses are grossly inadequate, compounding the harm. Death threats and explicit hate were frequently dismissed as “not violating guidelines”, while creators defending themselves were penalized. Others faced shadow banning, automatic takedowns of trans-related content or hashtags, and mass-reporting campaigns leading to repeated account closures. As one participant stated: *“The TikTok account I currently use is my third one. People submit fake reports to get my pages and live broadcasts taken down.”*

This pattern reflects systemic design flaws: opaque moderation, lack of effective appeals, and algorithmic bias, which disproportionately silence trans voices. These failures map directly to the draft Recommendation’s call for platform accountability and user empowerment by design (Section IV, paras. 47–53 and Section V, paras. 55–63). Without transparent moderation systems and effective recourse, platforms remain unsafe by design for trans and gender-diverse users.

### III. Recommendations

- Include specific reference to trans and gender-diverse people in all relevant sections, including in definitions of vulnerable groups and in policy guidance to states and platforms.
- Require data disaggregation by gender identity in monitoring mechanisms to assess the impact of platform and state policies.
- Encourage Member States to consult directly with trans-led organizations and trans content creators in the development of national laws and policies on online safety.
- Member States should support public awareness campaigns specifically targeting vulnerable groups such as trans people, educating them on how to challenge and appeal content moderation decisions, account deletion, and shadow banning decisions, in line with existing national and EU-level legislation.
- In addition, platforms of significant influence should be required to track and disclose the impact of design choices, such as recommender systems and mass-reporting features, on trans and gender-diverse users, aligning with the Recommendation's Sections IV(47–53) and V(55–63) on transparency, accountability, and empowerment by design.

We are preparing further analysis based on our findings and are available to provide additional detail and context as needed.

#### Contact

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