

GLOBAL INFORMATION SOCIETY WATCH 2013

Women's rights, gender and ICTs



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Lori Nordstrom

Publication production

Mallory Knodel

Proofreading

Valerie Dee
Lori Nordstrom

Graphic design

Monocromo
info@monocromo.com.uy
Phone: +598 2400 1685

Cover illustration

Matías Bervejillo

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Violence against women online

Jan Moolman

Association for Progressive Communications (APC)
www.apc.org

The need to prioritise violence against women online

We live in a violent world. On any day in any country, we will read or hear or see stories about a woman or girl child being raped, beaten or murdered. We might even know one of them. She could be rich or poor. She could be educated or illiterate. She could live in a country ravaged by war or one in which the per capita income is the highest in the world. But as long as she lives in a woman's body, she risks experiencing violence in her lifetime.

In case this is dismissed as alarmist, consider that almost 35% of women have experienced physical and/or sexual intimate partner violence or non-partner sexual violence (this excludes other types of violence) and as many as 38% of all murders of women are committed by an intimate partner, according to a recent study by the World Health Organization and others.¹

Technology-related forms of violence against women (VAW), which we define as violence against women that is committed, abetted or aggravated through the use of information and communications technologies (ICTs) and in online spaces, are part of this continuum of violence. Technology-related VAW occurs in a context of systemic and structural inequality, which fuels and reproduces misogyny and discrimination. As an emerging form of VAW it is a significant barrier to women's and girls' ability to take advantage of the opportunities that ICTs provide for the full realisation of women's human rights and development.

In this context, in the world of internet rights and governance, where there is very little overt concern with women's specific experiences, the

absence of meaningful engagement about the implications of increasing mass surveillance, intermediary liability, enhanced cooperation and the foregrounding of freedom of expression as a primary rights concern, and other "priority" issues for women and women human rights defenders as stakeholders, will merely perpetuate and exacerbate the conditions in which technology-related forms of VAW thrive.

What do we know?

The 2006 United Nations Secretary-General's report on VAW noted, "More inquiry is also needed about the use of technology, such as computers and cell phones, in developing and expanding forms of violence. Evolving and emerging forms of violence need to be named so that they can be recognised and better addressed."² Today, despite evidence showing an increase in violations involving technology, very little corresponding recognition of technology-related forms of VAW by states,³ intergovernmental institutions and other actors responsible for ending VAW exists. Consequently, it is not prioritised in prevention and response strategies, budgeting and evidence-based policy making, and women who experience these violations have little or no redress.

Cyber stalking, online harassment, image manipulation and privacy violations have increasingly become part of intimate partner violence and sexual harassment. This compromises women's and girls' safety online and offline and causes psychological and emotional harm, reinforces prejudice, damages reputation, causes economic loss, and poses barriers to participation in public life.⁴ Of

2 UN General Assembly (2006) *In-depth study on all forms of violence against women: Report of the Secretary-General*, 6 July, A/61/122/Add.1. www.refworld.org/docid/484e58702.html

3 An example of legislation that specifically addresses technology-related forms of violence against women is the Philippines' Anti-Photo and Video Voyeurism Act of 2009, which addresses violence against women that is perpetrated through the making, accessing and/or circulating of images of women, of the genitals or of them involved in sexual acts. While there are limitations to this act, it takes seriously the harm that is done to women through violence perpetrated to their image.

4 Fascendini, F. and Fialová, K. (2011) *Voices from Digital Spaces: Technology-related violence against women*, APC. www.genderit.org/node/3539

1 World Health Organization, Department of Reproductive Health and Research, London School of Hygiene and Tropical Medicine, South African Medical Research Council (2013) *Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*, WHO, Switzerland.

the 470 technology-related violations reported via the Association for Progressive Communications (APC) mapping platform,⁵ the majority related to repeated harassment (100) followed by threats of violence and blackmail (58) and abusive comments (43). APC's recent global monitoring survey on sexual rights and the internet bears this out as it showed that while 98% of sexual rights activists see the internet as critical for their work, 51% of them have received violent and threatening messages.

Cases and stories shared through the online platform illustrate the urgent need for effective responses from different actors. Examples quoted verbatim include:

Threats of violence

"Its been a month since I have been receiving nasty mean text messages, death threats and rape threats. I was also being watched. Whenever I receive a text its either they say that they are watching me or following me. Its becoming more scary everyday. The problem is I don't know who is those people who send those text messages. (...) As much as I want to file a case I cant do anything because I have no proof on such person. (...) I tried to contact the network company if they can help me regarding my case. But they just said the person who sends me those text is using a prepaid and they cannot do anything about it." (Story from the Philippines)

Misogynist hate speech

"My own 'mentions' tab on Twitter is generally flooded with unoriginal misogynist, heteronormative responses, ranging all the way from claims that I'm a feminist because I'm 'too ugly to land a man' to claims that I'm actually a 'confused lesbian', all the way to threats of 'corrective rape' because I choose to tweet – just tweet – about issues such as childhood sexual abuse, sexual harassment, and other forms of sexualised violence. I've received vile, detailed messages from random strangers who decide to tell me my home address and then live out their rape fantasies online by telling me in graphic detail which parts of my body they would like to do things to." (Story from Pakistan)

Surveillance

"Eventually she found out that her husband had managed to bribe someone working at the mobile phone service provider which she used. He had used her identity card number and name to find out the details of her account and managed to secure a print-out of all the calls she had made and received." (Story from Malaysia)

Normalisation of violence

Prominent women bloggers, journalists and leaders are regularly subjected to online abuse and violent threats that attack their sexuality and right to express an opinion, especially when it is related to fields where men have traditionally been held as experts, such as gaming, politics and technology. One of the highest profile cases of misogyny and harassment recently is the case of Anita Sarkeesian. Her "crime" was to raise money for a series of videos "exploring female character stereotypes throughout the history of the gaming industry."⁶ A campaign against Sarkeesian began which included calls for her to be gang-raped and emails sent to her that contained images of her being raped by video game characters. It culminated in the Beat Up Anita Sarkeesian "game" which allowed gamers to punch her image until the screen turned red with her "blood". Sarkeesian's own analysis drives to the heart of what makes online harassment and misogyny, even in their extreme forms, acceptable, when similar actions offline would be condemned – and that it is more than just the anonymity of the harassers, but also the online misogynist culture that accepts and even celebrates it. The normalisation of violent behaviour and the culture that tolerates VAW – such as that exercised against Sarkeesian – mimic trends offline.⁷

While there is still a pronounced gender gap in internet use and access, data collected by the International Telecommunication Union (ITU) shows that women's presence online is massive. According to the ITU, globally 37% of all women are online compared with 41% of all men. The developing world is home to about 826 million female and 980 million male internet users, while in the developed world the estimate is 475 million female and 483 million male internet users.⁸ At the same time, technology-

5 See www.takebackthetech.net/mapit – an Ushahidi platform that is building evidence on the nature and extent of technology-related forms of VAW by documenting, reporting, monitoring and analysing cases. The platform is part of the APC project End Violence: Women's rights and safety online, supported by the Dutch Ministry of Foreign Affairs (DGIS) Funding Leadership and Opportunities for Women (FLOW) Fund.

6 From Anita Sarkeesian's fundraising page at Kickstarter: www.kickstarter.com/projects/566429325/tropes-vs-women-in-video-games

7 Moolman, J. (2013) APC Statement to the CSW 57th Session: Violence against women and information and communications technology. www.genderit.org/sites/default/upload/csw_apc_statement_final_version_o.pdf

8 www.itu.int/ITU-D/ict/facts/material/ICTFactsFigures2013.pdf

related forms of VAW have become part of women's online interactions. In the same way we face risks offline in the streets and in our homes, violence turns the internet into an unsafe space with specific dangers and risks for women, such as those mentioned above.

Not black and white

As women's rights activists concerned with addressing technology-related forms of VAW, the terrain we work in is complex and we are often confronted with binary positions that close down the opportunities to find effective solutions. These include anonymity, accountability and responsibility of non-state actors in relation to the governance of the internet, and others. To illustrate with one example, in May 2013 a group of feminists and women's rights activists launched a campaign to "Take action to end gender-based violence on Facebook". The campaign called on Facebook to take immediate action to address how it dealt with the representation of rape and domestic violence, and called on advertisers whose ads appeared next to this content to immediately withdraw their ads until Facebook addressed this issue by banning "gender-based hate speech" on the site.⁹ The campaign was a huge success. Within a week Facebook had met with the campaigners, accepted that there were inconsistencies in implementing their own community standards, and committed to taking actions to improve their content policy by identifying and removing gender-based violence content on their platform.¹⁰

Despite this victory, some freedom of expression activists argued that it was not Facebook's role to be censoring speech, even if it is hate speech. While agreeing that the speech highlighted by the campaign is "abhorrent, awful and offensive", Jillian York, director for international freedom of expression at the Electronic Frontier Foundation, pointed out that these forms of speech are already covered by law, cautioning that the campaign sets a dangerous precedent for other "special interest groups looking to get their pet issues censored."¹¹

Garcia outlines the complexity of positioning a response to gender-based hate speech in opposition

to freedom of expression.¹² She argued, firstly, that the right to freedom of expression is not absolute and is also subject to other rights, pointing out that part of the problem is that gender-based hate speech – despite its pervasiveness and the harm it causes to almost half the world's population – is typically not included in definitions of and legislation on hate speech, which York argues is covered by existing laws. Secondly, she argued, Facebook should decide on its human rights policies including standards about the acceptability of misogynist and gender-based hate speech on its online platform, in the same way that a workplace or any company has standards about sexist behaviour. And lastly, Facebook does already have existing rules and community standards and regulates content, but these need to be implemented better and in consultation with their users

What next?

Technology-related forms of VAW are gaining increasing recognition as a critical area for intervention in the broader women's and human rights movements. In 2013, the outcomes document¹³ for the Commission on the Status of Women's 57th session for the first time included the issue of technology and violence, calling for states to:

Support the development and use of ICT and social media as a resource for the empowerment of women and girls, including access to information on the prevention of and response to violence against women and girls; and develop mechanisms to combat the use of ICT and social media to perpetrate violence against women and girls, including the criminal misuse of ICT for sexual harassment, sexual exploitation, child pornography and trafficking in women and girls, and emerging forms of violence such as cyber stalking, cyber bullying and privacy violations that compromise women's and girls' safety.

Earlier this year the UN Working Group on Discrimination Against Women in Law and Public Life also highlighted technology and violence against women in their first thematic report.¹⁴

9 Chemaly, S., Friedman, J. and Bates, L. (2013) An Open Letter to Facebook, *Huffington Post*, 21 May. www.huffingtonpost.com/soraya-chemaly/an-open-letter-to-facebook_1_b_3307394.html?utm_hp_ref=tw

10 Garcia, C. (2013) #fbrape is about gender-based hate speech, not about censorship. www.genderit.org/feminist-talk/fbrape-about-gender-based-hate-speech-not-about-censorship

11 York, J. (2013) Facebook Should Not be in the Business of Censoring Speech, Even Hate Speech. www.slate.com/blogs/xx_factor/2013/05/30/facebook_and_hate_speech_the_company_should_not_be_in_the_business_of_censorship.html

12 García (2013) Op. cit.

13 Commission on the Status of Women (2013) Agreed conclusions on the elimination and prevention of all forms of violence against women and girls. [www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_\(CSW_report_excerpt\).pdf](http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_(CSW_report_excerpt).pdf)

14 UN Working Group on Discrimination Against Women in Law and Public Life (2013) *Report of the Working Group on the issue of discrimination against women in law and in practice*. www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.50_EN.pdf

The Internet has become a site of diverse forms of violence against women, in the form of pornography, sexist games and breaches of privacy. For women who engage in public debate through the Internet, the risk of harassment is experienced online, for example, an anonymous negative campaign calling for the gang rape of a woman human rights defender, with racist abuse posted in her Wikipedia profile. Female ICT users have publicly protested about sexist attacks.

The report recommends that states support women's equal participation in political and public life through ICTs, including by:

- Increasing women's digital literacy, particularly among marginalised women.
- Ensuring gender-responsiveness in the promotion and protection of human rights on the Internet.
- Improving women's access to the global governance of ICTs.

Effectively responding to and preventing technology-related forms of VAW require multiple strategies and actions by different actors. This includes amongst other things:

- Strengthening the capacity of women's rights organisations, activists and users to use technology safely and contribute towards building evidence and understanding of this emerging form of violence.
- Calling on state and non-state actors (particularly private sector actors) to recognise and address technology-related forms of VAW and be accountable for developing, supporting and encouraging online environments and prevention and service responses that foreground women's rights and realities. These should include effective and responsive complaints mechanisms, laws (for legal remedies) and policies.
- Raising awareness amongst all users about the issue of VAW.

If we as internet rights and women's rights activists believe that the promised freedoms and opportunities of the internet and other ICTs should be accorded to all who use them, then we must confront the assumptions and systemic inequalities which continue to marginalise women, even in these supposed liberated spaces. We need to ask ourselves what kind of internet rights activists we are if we do not take women's rights and safety seriously enough to do something about technology-related VAW. ■