# TECHNOLOGY-RELATED VIOLENCE AGAINST WOMEN – a briefing paper

"More inquiry is 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 recognized and better addressed."

- UN Secretary General, In-depth study on all forms of violence against women (2006)<sup>1</sup>

## About the research project - End violence: Women's rights and safety online

Between April 2013 and June 2014, APC carried out a multi-country research project entitled <u>End violence: Women's rights and safety online</u>. The project explored the adequacy and effectiveness of domestic legal remedies and corporate policies and redress mechanisms to address the issue of technology- related violence against women (tech-related VAW) through documenting and analysing in-depth case studies on women's and girls' experiences of tech-related VAW, and their attempts to access justice.

The project was led by researchers from the Global South and was carried out in collaboration with partners located in seven countries: OneWorldSEE in Bosnia and Herzegovina, Colnodo in Colombia, Si Jeunesse Savait in the Democratic Republic of Congo (DRC), the International Association of Women in Radio and Television and KICTANet in Kenya, an APC project associate in Mexico, Bytes for All in Pakistan, and the Foundation for Media Alternatives in the Philippines.

This research, along with an <u>online mapping project</u>, revealed the global and pervasive nature of tech-related VAW, as well as the trauma and multifarious harms experienced by the survivors of these human rights violations.

#### INTRODUCING THE ISSUE

## What is technology-related violence against women?

Technology-related violence against women (tech-related VAW) **encompasses acts of gender-based violence that are committed, abetted or aggravated, in part or fully, by the use of information and communication technologies** (ICTs), such as phones, the internet, social media platforms, and email. As highlighted by APC's statement to the 57th Commission on the Status of Women:

"Violence against women that is mediated by technology is increasingly becoming part of women's experience of violence and their online interactions. In the same way we face risks offline, in the streets and in our homes, women and girls can face specific dangers and risks on the internet such as **online harassment**, **cyber stalking**, **privacy invasions with the threat of blackmail**, **viral 'rape videos' and for young women in particular**, **the distribution of 'sex videos' that force survivors to relive the trauma of sexual assault** every time it is reposted online, via mobile phone or distributed in other ways."

These forms of violence may be perpetrated via technology but they cause **psychological and emotional harm, reinforce prejudice, damage reputation, cause economic loss and** 

<sup>&</sup>lt;sup>1</sup> A/61/122/Add.1, para.155

pose barriers to participation in public life, and may lead to sexual and other forms of physical violence.

## Can domestic violence be perpetrated through technology?

Like all VAW, much of tech-related VAW is perpetrated by someone known. Of 24 case studies collected in APC's <u>End violence: Women's rights and safety online</u> research project, 14 of the perpetrators were known to the survivors. In most of these cases, the perpetrator had an intimate relationship with the woman (as either a current or former boyfriend/husband), or belonged to the survivor's immediate circle (of family members, co- workers or friends).

In addition, findings from over a thousand cases reported on the <u>Take Back the Tech! online map</u><sup>2</sup> from 2012 to 2014, revealed that the **majority (40%) of cases are perpetrated by someone known to the survivor**, and that the 3 general categories of women who experience tech-related VAW were:

- 1. Women in an intimate relationship whose partner had become abusive;
- 2. Survivors of physical assault often from intimate partner abuse or rape;
- 3. **Professionals with a public profile** involved in public communication (e.g. writers, researchers, activists and artists).

This means that up to **two thirds of the women** submitting cases to the online map were facing a form of **tech-related domestic violence**.

## How is technology used as a tool to perpetrate (domestic) violence?

In cases where tech-related VAW took place in the context of domestic violence, women were subjected to **physical beatings and/or sexual violence, coupled with insulting, threatening or violent text messages, phone calls or emails**. In other cases, after the relationship had ended, **private or intimate photos and videos of women were uploaded online** to exact revenge and intimidate them. In some cases, **the violence started online**. For example, one woman was threatened first via mobile phone – an act of violence that over time escalated into rape.

APC's research showed that whilst aggressors used a **wide array of ICTs** to harass women, **mobile phones were the most commonly used tool** to perpetrate tech-related VAW. Mobile phones allowed aggressors to maintain an abusive relationship and inflict psychological and emotional violence on women and girls **when physical contact was not possible**. While in a few cases unknown aggressors engaged in harassment and intimidation through calls or SMS, in the **majority of cases involving mobile phones, the harassment and intimidation that women faced was located within the context of (ongoing) physical abuse from a known aggressor. The extended violence that women faced fell into categories of domestic violence, intimate partner abuse, homophobic violence, kidnapping, rape and sexual assault<sup>3</sup>.** 

## Tech-related abuse is violence! Challenging myths about VAW

Myth: Violence that takes place online is not "real violence".

Violence against women is often **erroneously interpreted** as encompassing only physical or sexual harm against women. However, relevant international human rights documents

<sup>&</sup>lt;sup>2</sup> Between 2012 and 2014, APC hosted a mapping project which recorded around 2000 incidents of tech-related violence against women. Click to visit the <u>Take Back the Tech! world map</u>.

<sup>&</sup>lt;sup>3</sup> R. Athar, <u>From impunity to justice: Improving corporate policies to end technology-related violence against women</u>, Association for Progressive Communications (March 2015) p.9

consistently include **psychological or mental harm, as well as threats of harm** under the full definition of VAW.

For example, Article 1 of the UN Declaration on the Elimination of Violence against Women (DEVAW) defines VAW as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts"<sup>4</sup>.

Additionally, in its General Recommendation 19 on violence against women, the Committee on the Elimination of Discrimination Against Women (CEDAW) includes in its definition of gender-based violence "acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty"<sup>5</sup>.

Thus **tech-related threats and abuse clearly fall under the definition of VAW**. Furthermore, whilst tech-related violence usually takes place online, it can and often does extend to the physical world, leading to **physical violence** in addition to psychological and emotional harm.

### Myth: Violence that is not physical is not as damaging.

As previously noted, **psychological harm is recognised as a form of violence** and is clearly defined as **a human rights violation** under international law.

Analysis of cases from APC's Take Back The Tech! mapping project showed that the harms resulting from technology-related VAW include **emotional or psychological harm, harm to reputation, physical harm, sexual harm, invasion of privacy, loss of identity, limitation of mobility, censorship, and loss of property.** 

Other evidence has shown that **technology-related VAW can result in a violation of the right to life**. For example, a case of spousal abuse resulting in a woman being fatally stabbed by her husband, submitted to CEDAW under its Optional Protocol, included reference of **threats and harassment made by the perpetrator to the victim by telephone**<sup>6</sup>. Various cases covered by the media have shown incidences of online violence and harassment leading to the victim **committing suicide**<sup>7</sup>.

# A culture of impunity around tech-related VAW

APC's research on domestic legal remedies for cases of technology-related violence against women revealed a **prevailing culture of impunity** around these human rights violations.

The case studies analysed in the research illustrated the perceived notion of a **complete breakdown in the criminal justice system**, including the investigation, prosecution and adjudication of cases involving VAW. The **non-efficacy of the laws and the lack of government action** were aggravated by **gender insensitivity** on the part of enforcers and service providers, which served to **silence women** instead of encouraging them to assert their rights.

Relevant laws, in several instances, were essentially **dead letter legislation** – i.e. laws that were no longer being enforced. The **excessive time** taken to file charges, delays in the investigations, and the number of years that passed before a case was properly considered were all factors that made women survivors desist from "wasting their time" by filing a complaint<sup>8</sup>.

<sup>&</sup>lt;sup>4</sup> www.un.org/documents/ga/res/48/a48r104.htm

<sup>&</sup>lt;sup>5</sup> Committee on the Elimination of Discrimination Against Women (CEDAW), General Comment 19 (1992), para.6

<sup>&</sup>lt;sup>6</sup> Fatma Yildirim (deceased) v. Austria, communication No. 6/2005, views adopted 6 August 2007, para. 12.1.3

<sup>&</sup>lt;sup>7</sup> See <a href="http://nobullying.com/six-unforgettable-cyber-bullying-cases/">http://nobullying.com/six-unforgettable-cyber-bullying-cases/</a>

<sup>&</sup>lt;sup>8</sup> Women's Legal and Human Rights Bureau, Inc., <u>From impunity to justice: Domestic legal remedies for cases of technology-related violence against women</u>, Association for Progressive Communications (March 2015) p.15

In order to combat impunity for tech-related VAW, **States need to exercise due diligence** to **prevent** these forms of abuse, as well as **holding perpetrators accountable** where possible (see further recommendations to States on page 9).

## The role of intermediaries

It is primarily the **duty of States to protect against human rights abuse** within their territory and/or jurisdiction **by third parties**, including business enterprises<sup>9</sup>.

Nevertheless, intermediaries, such as content service providers, social networks and search engines, have an **obligation to prevent and respond to** unlawful or harmful activity by users of their services. These mechanisms **can be abused and inadvertently facilitate online harassment and VAW**, and **differential standards** are applied to what content is taken down and what content is allowed to remain online.

For example, while Facebook held a policy of **banning images of breastfeeding**, it took 200,000 signatures for the company to even begin responding to the issue of the hundreds of pages on the network which offer a barrage of **vitriolic hate speech against women**, **photos of women's bloodied and beaten bodies**, **jokes promoting the use of drugs to rape women**, and more.

Although it is possible to hold intermediaries legally responsible for such violations, the threat of **liability for intermediaries** can be **counterproductive** in preventing tech-related VAW because it effectively leads to **over-regulation of content** by companies and platforms, resulting in **adverse effects on freedom of expression and association**. Rather intermediaries should exercise the **responsibility to create conditions** under which women can fully enjoy their human rights and fundamental freedoms.

APC's **research on internet intermediaries and VAW online**<sup>10</sup> provided a detailed analysis of the user policies and redress frameworks of Facebook, YouTube and Twitter. It was clear from the research that while approaches to violence against women differed between the companies, a number of overarching themes and trends could be identified. These included:

- Reluctance to engage directly with tech-related VAW, until it became a public relations issue, suggesting a lack of appreciation of the seriousness of violence against women online, and a lack of recognition of the responsibility of the intermediary to take measures to mitigate the frequency and seriousness of instances of violence and to provide redress.
- Lack of transparency around reporting and redress processes, reflected in the lack of information about the processes available to victims of technology-related violence.
- Failure to engage with the perspectives women outside of North America or Europe.
- No public commitment to human rights standards or to the promotion of rights, other than the encouragement of free speech.

Company **policy on anonymity and the right to privacy** further contributes to the manifestation of tech-related VAW. Just as **online anonymity can empower survivors of tech-related VAW**, it can be used to shield perpetrators of online violence. However, laws that place limitations on anonymity with the stated goal of protecting victims of violence may not actually protect survivors or serve their needs. For example, in one case a survivor of domestic violence had managed to avoid her ex-husband for 20 years until **Facebook's "real-**

<sup>&</sup>lt;sup>9</sup> See <u>UN Guiding Principles on Business and Human Rights</u>

<sup>&</sup>lt;sup>10</sup> Carly Nyst, <u>Internet intermediaries and violence against women online: user policies and redress framework of Facebook, Twitter and Youtube</u>, APC (2014).

**name policy" allowed her abuser to track her down**<sup>11</sup>. As stated in a report of the UN Special Rapporteur on freedom of expression:

"Restrictions of anonymity in communication [...] have an evident **chilling effect on victims** of all forms of violence and abuse, who may be reluctant to report for fear of double victimization."<sup>12</sup>

## INTERNATIONAL STANDARDS

As the introductory quote from the UN Secretary General highlighted, there is still **very little awareness around technology-related violence, including at the international level**. APC's research is the **first comprehensive study of this human rights problem**, shedding light on the range of the violations, as well as the culture of impunity created by the failure of internet intermediaries, institutions, legislation, law enforcement and the judiciary to adequately address such violations, including through exercising due diligence to prevent, investigate and punish acts of technology-related violence against women. Nevertheless, in recent years, **UN experts and intergovernmental bodies have started to pay attention** to this global human rights concern.

## The same rights apply online as offline

The international human rights mechanisms have **only recently begun to work on internet related rights**. The first United Nations resolution to recognise **the impact of the internet on human rights** was a resolution on freedom of opinion and expression adopted by the Human Rights Council (HRC) in September 2009<sup>13</sup>. Since then, the UN has adopted **several resolutions<sup>14</sup>** referencing the effect of the internet on rights, including the HRC consensus resolution on "The promotion, protection and enjoyment of human rights on the Internet" which affirmed that **the same rights that people have offline must also be protected online<sup>15</sup>** and, most recently, the HRC consensus resolution on "The right to privacy in the digital age"<sup>16</sup>.

# Violence against women

Numerous international human rights instruments and documents state clearly and unequivocally that all forms of gender-based violence amount to discrimination, and seriously inhibit women's ability to enjoy their human rights and fundamental freedoms.

There is no exception for violence against women perpetrated through the use of ICTs!

Relevant international human rights documents include:

- The Universal Declaration of Human Rights (Article 1);
- The International Covenant on Civil and Political Rights & Human Rights Committee general comment No. 28 (2000) on article 3 (equality of rights between women and men);

<sup>&</sup>lt;sup>11</sup> See S. Allen, <u>How Facebook Exposes Domestic Violence Survivors</u>, The Daily Beast (May 2015). See also C. Zara, <u>Google Maps Accused Of Revealing Secret Locations Of Domestic Violence Shelters</u>, International Business Times (June 2015)

<sup>&</sup>lt;sup>12</sup> A/HRC/23/40

<sup>&</sup>lt;sup>13</sup> A/HRC/RES/12/16

<sup>&</sup>lt;sup>14</sup> See for example, A/HRC/RES/21/16, A/HRC/RES/23/2, A/HRC/RES/24/5, A/RES/68/163, A/RES/68/167, A/RES/69/166

<sup>15</sup> A/HRC/RES/20/8

<sup>16</sup> A/HRC/RES/28/16

- The International Covenant on Economic, Social and Cultural Rights & Committee on Economic, Social and Cultural Rights general comment No. 16 (2005) on article 3 (equality of rights between women and men), at paragraph 27;
- The Convention on the Elimination of Discrimination Against Women, its Optional Protocol, and General Recommendation 19 on violence against women;
- The Declaration on the Elimination of Violence against Women;
- The Beijing Declaration and Platform for Action (Section D);
- Resolutions of the UN General Assembly, the former UN Commission on Human Rights, and the UN Human Rights Council on violence against women;
- Reports of the UN Secretary General on violence against women, reports of the UN High Commissioner for Human Rights, reports of UN Special Procedures mechanisms including the Special Rapporteur on violence against women, the UN Special Rapporteur on human rights defenders and the Working Group on discrimination against women.

## **Domestic violence**

In 2003 the UN General Assembly adopted a resolution on the elimination of domestic violence against women, recognizing that "domestic violence can take many different forms, including physical, psychological and sexual violence" and that "domestic violence is of public concern and requires States to take serious action to protect victims and prevent domestic violence"<sup>17</sup>.

CEDAW has also affirmed the **obligation of States to address domestic violence against women, including through exercising due diligence** in decisions made on cases submitted under its Optional Protocol.

For example, in forming its decision on the case of *AT v Hungary*, CEDAW expressed particular concern at the **lack of specific legislation enacted to combat domestic violence and sexual harassment**, and found that the States failure to fulfil its obligations under the Convention constituted a **violation of human rights and fundamental freedoms**, particularly the right to security of person<sup>18</sup>.

However, in the cases of Sahide Goekce (deceased) v. Austria, and Fatma Yildirim (deceased) v. Austria, the Committee noted that although the State party had established a comprehensive model to address domestic violence that included legislation, criminal and civil-law remedies, awareness-raising, education and training, shelters, counselling for victims of violence and work with perpetrators, it nevertheless failed to fulfil its obligations under the Convention, by exercising due diligence to protect the deceased women's rights to life and to physical and mental integrity<sup>19</sup>.

(It is important to note in the context of this paper that in *Fatma Yildirim* (deceased) v. Austria, a case where the deceased was fatally stabbed by her husband, the Committee recognised that **threats made over the telephone** contributed to the sequence of events leading to the act<sup>20</sup>.)

# **Technology-related VAW**

Whilst the **UN Secretary General** noted in 2006 that **more inquiry was needed** about "the use of technology [...] in developing and expanding forms of violence [against women]", the international system has been slow to respond to these concerns. However, over the last few

 $<sup>^{17}</sup>$  A/RES/58/147, para.1 (c) and (d)

<sup>&</sup>lt;sup>18</sup> UN Handbook for Legislation on Violence Against Women (2009), p.6; see also <u>A.T. v Hungary</u>, communication No. 2/2003, views adopted 26 January 2005

<sup>&</sup>lt;sup>19</sup> Sahide Goekce (deceased) v. Austria, communication No. 5/2005, views adopted 6 August 2007, paras. 12.1.2 & 12.1.5, and; Fatma Yildirim (deceased) v. Austria, communication No. 6/2005, views adopted 6 August 2007, paras. 12.1.2 & 12.1.5.

<sup>&</sup>lt;sup>20</sup> Fatma Yildirim (deceased) v. Austria, supra note 13 at para. 12.1.3

years, UN human rights experts as well as intergovernmental bodies have begun to address the issue of technology-related violence against women.

In March 2013 the Commission on the Status of Women's agreed conclusions on the elimination and prevention of all forms of violence against women and girls, adopted at its 57th session (2013) urged governments and relevant stakeholders to:

"... 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"21.

In mid-2013, the UN Working Group on Discrimination against women in law and practice, in its first thematic report, included specific reference to the internet as "a site of diverse forms of violence against women". The Working Group expressed concern that 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".<sup>22</sup>

The Working Group further recommended that States support women's equal participation in political and public life through ICTs, including by ensuring gender-responsiveness in the promotion and protection of human rights on the internet, and improving women's access to the global governance of ICTs.<sup>23</sup>

At the end of 2013, the UN General Assembly adopted a consensus resolution on protecting women human rights defenders with language on tech-related human rights violations. The resolution acknowledged that:

"... information-technology-related violations, abuses and violence against women, including women human rights defenders, such as online harassment, cyberstalking, violation of privacy, censorship and hacking of e-mail accounts, mobile phones and other electronic devices, with a view to discrediting them and/or inciting other violations and abuses against them, are a growing concern and a manifestation of systemic gender-based discrimination, requiring effective responses compliant with human rights."<sup>24</sup>

More recently, the **UN Special Rapporteur on VAW**, in her report to the 29<sup>th</sup> session of the Human Rights Council (2015) on her mission to the UK, expressed concern about "women aged between 18 and 29 being at greatest risk of threatening and offensive advances on the Internet"25.

The SR referenced a recent study, which found "that many women and girls had been exposed to harmful behaviours online, including humiliation, harassment, intimidation and "sexting" as a form of bullying". Interviewees in the study had reported that "boyfriends commonly published, and/or threatened to publish, photographs of consensual sexual activity to harass and manipulate women and even force them to engage in sexual activity with the boyfriend and/or their friends"<sup>26</sup>.

APC Women's Rights Programme, Briefing paper on VAW, June 2015

<sup>&</sup>lt;sup>21</sup> CSW agreed conclusions on the Elimination and prevention of all forms of violence against women and girls, March 2013, para.34(ww)

<sup>&</sup>lt;sup>22</sup> A/HRC/23/50, para.66

<sup>&</sup>lt;sup>23</sup> *ibid*, para. 97(h)

<sup>&</sup>lt;sup>24</sup> A/RES/68/181 <sup>25</sup> A/HRC/29/27/Add.2</sup>, para.23

<sup>&</sup>lt;sup>26</sup> *ibid.* at para.25

## **Business and human rights**

International human rights documents, such as the UN Guiding Principles on Business and Human Rights, have recognised **the role of States and businesses in combating violence against women**.

The **UN Guiding Principles**, which have been endorsed by the HRC, call on States to help ensure that business enterprises operating in conflict areas are not involved with such abuses, including by "providing adequate assistance to business enterprises to assess and address the heightened risks of abuses, paying special attention to both gender-based and sexual violence"<sup>27</sup>.

The **UN Global Compact** states that "businesses should support and respect the protection of internationally proclaimed human rights" (Principle 1) and "make sure they are not complicit in human rights abuses" (Principle 2)<sup>28</sup>.

The **UN Women's Empowerment Principles (WEP)** recommends that businesses "establish a zero-tolerance policy towards all forms of violence at work, including verbal and/or physical abuse and prevent sexual harassment"<sup>29</sup>.

## ADDRESSING TECH-RELATED VAW

## The responsibility of the UN Human Rights Council

Under its core mandate, the Human Rights Council is "responsible for promoting universal protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner"<sup>30</sup>.

The Human Rights Council adopts an **annual resolution** on the theme of violence against women and holds **annual interactive dialogues** with the Special Rapporteur on violence against women, its causes and consequences. The annual thematic resolution on violence against women is **yet to explicitly address the global pervasive phenomenon of technology-related VAW**.

Technology-related violence against women **should not be a politically sensitive issue**. It is an issue that is **affecting women in all regions of the world**.

In order to effectively combat violence against women, the **Human Rights Council needs to engage with the issue holistically**, including through addressing the **global and pervasive harms resulting from technology-related violence** such as violations of freedom of expression and the right to participate in public life, as well as economic loss and psychological violence.

The Human Rights Council should fulfil its mandate by explicitly including technology-related violence against women in its resolutions, actions and other initiatives on violence against women.

<sup>&</sup>lt;sup>27</sup> <u>UN Guiding Principles on Business and Human Rights</u>, 7(b)

<sup>&</sup>lt;sup>28</sup> UN Global Compact

<sup>&</sup>lt;sup>29</sup> UN Women's Empowerment Principles, <u>Principle 3</u>

<sup>&</sup>lt;sup>30</sup> A/RES/60/251, OP 2

## **Recommendations for States**

Under international law, **States must demonstrate due diligence** by taking active measures to prevent, investigate and punish acts of violence against women, including by **ensuring accountability** for private actors who commit abuses<sup>31</sup>.

APC's research has shown that States are, for the most part, failing to exercise due diligence to adequately address technology-related violence against women.

## APC recommends the following actions for States:

#### 1. Recognition of technology-related forms of VAW

States should recognise VAW as a human rights violation and provide a comprehensive definition of VAW that includes psychological violence and recognises its occurrence in both public and private life. Technology-related forms of violence must be recognised by States as a form of violence against women and must be integrated in monitoring, prevention and response mechanisms, including in public policy and in expanding the implementation of anti-VAW laws.

#### 2. Multi-sectoral prevention and response mechanisms

Adequately resourced holistic, multi-stakeholder and multi-sectoral (primary, secondary and tertiary) prevention and response mechanisms must be developed to include private sector technology actors, state telecommunications and communications institutions, and the technical and internet rights communities.

## 3. Evidence building: Reporting on technology-related forms of VAW

Systematic reporting and monitoring of technology-related forms of VAW must be instituted at all levels. National statistics and indicators on VAW must include a component reporting specifically on ICT-related VAW, so that trends can be monitored and addressed. States should, where possible, create a dedicated agency to receive and investigate complaints of VAW.

#### 4. Capacity building for actors in the criminal justice system

Comprehensive capacity building should be provided for public officials in the areas of education, health, social welfare, and justice as well as the judiciary and police, and must include awareness, understanding and responses to technology-related forms of violence against women. Accountability mechanisms must be established and strengthened to ensure compliance of public officials with laws and regulations that respond to these violations.

## 5. Engaging intermediaries to build safer online spaces

Internet intermediaries including internet and mobile service providers must be called upon to develop corporate policies, practices and tools that respect women's rights and condemn online practices that are harmful to women.

## **Recommendations for intermediaries**

**Intermediaries have an essential role** to play in combating tech-related VAW. In order to fulfil their responsibility in addressing this human rights issue, **intermediaries should implement the following recommendations:** 

<sup>&</sup>lt;sup>31</sup> DEVAW (supra note 4), Art. 4 calls on States to "pursue by all appropriate means and without delay a policy of eliminating violence against women" and to "exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons"; CEDAW GR19 (supra note 5), para.9 states that "under general international law and specific human rights covenants, States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation".

- 1. Consult with civil society, experts and other stakeholders to develop, adopt and implement corporate policies, in line with international human rights standards, to **explicitly prevent and sanction hate-speech and abuse** on the basis of race, ethnicity, national origin, religion, sex, gender, sexual orientation, disability or medical condition.
- 2. Develop, adopt and implement policies clearly outlining a process for **collaboration with police and other law enforcement**.
- 3. Provide a **free**, **simple reporting procedure**, such as an automated reporting system, accessible via phone or internet.
- 4. Ensure there is a **specific, easily accessible response mechanism** in place to react to cases of technology-related violence against women.
- 5. **Create a specific department** to deal with reports/complaints promptly, providing adequate staff and resource for the volume of complaints.
- 6. Ensure **transparency around the reporting and redress processes** available to victims of technology-related violence.
- 7. Ensure the right to privacy of users by **guaranteeing the right to anonymity**.

## **Further information**

Click underlined text for links.

#### **Research findings**

- Main report on domestic legal remedies <u>full text</u> and <u>summary</u>
- Main report on corporate policies <u>full text</u> and <u>summary</u>
- Case studies summaries
- Assessment of user policies and redress framework for Facebook, Twitter and YouTube
- Study of recent legislative trends in addressing technology-related VAW

## **Media materials**

- Media release: <u>A+ for profits</u>, <u>F for women's rights</u>
- Issue paper: Good questions on technology-related violence

#### **Visual materials**

- Report card to rate social media on various aspects related to violence against women
- Infographic: 4 reasons women struggle to access justice in tech-based VAW
- <u>Infographic: Mapping technology-based violence against women Take Back the Tech! top 8 findings</u>

#### **Articles**

- Series of articles on internet intermediary responsibility
- <u>Protecting the right to freedom of expression: Strategies of survivors of tech-related</u> violence against women
- Violence against women online: What next steps intermediaries should take
- Virtual is real: Attempts to legally frame technology-related violence in a decentralized universe

- Mapping as a strategy to disclose online violence against women
- Building women's access to justice: Technology-related VAW in law and corporate policy

## Contact

Jan Moolman (project coordinator) - jan@apcwomen.org Katerina Fialova (research coordinator) - katerina.fialova@apcwomen.org