

FEMICIDE

Volume XI



PERSONAL
INFORMATION

Cyber Crimes Against Women & Girls



亞太家庭組織
OFAP

Organization of the Families of Asia and the Pacific



KAREN E. BURKE
RESEARCH
FOUNDATION
Science for Health



INTERNATIONAL ASSOCIATION
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TO GLOBAL CHALLENGES

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FEMICIDE

Cyber Crimes Against Women & Girls

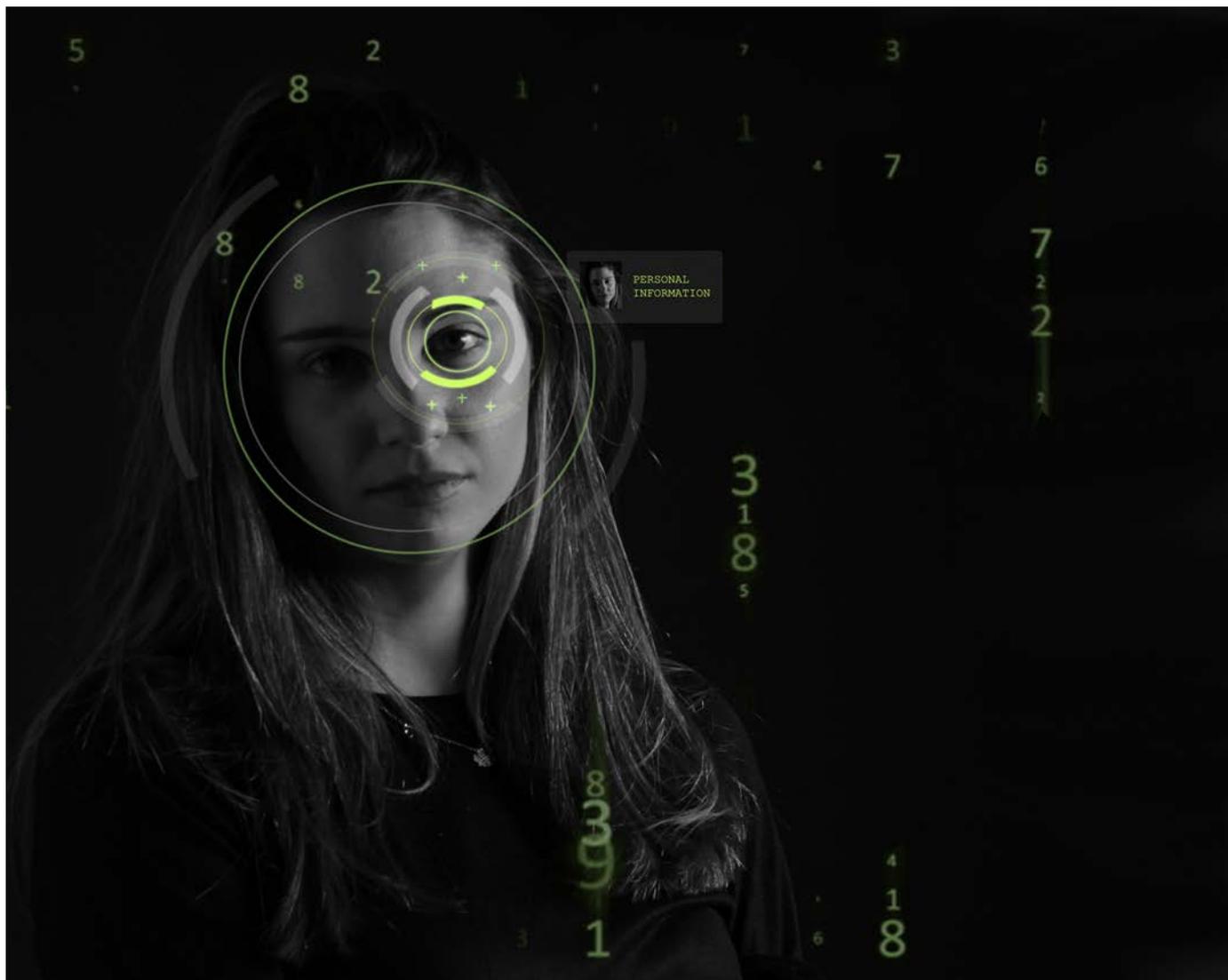
Volume XI

PREFACE

Crimes against women are constantly changing, especially with the emergence of electronic means to express them. The image I choose for this cover is called "the target". Here, I portrayed the female identity trapped and codified in the virtual sphere. The image expresses how violence against women using electronic means has become a phenomenon with multifaceted manifestations.

Maria Natalia Bueno

Designer



FOREWORD

After seven years of working hard, of ups and downs, after seven years of fighting gender-related violence against women and girls, including its most severe manifestation – femicide – it is time to make a résumé of our work, to evaluate it, and also to forge plans for the future of FEMICIDE.

Since 2012 the FEMICIDE team, which is wholeheartedly dedicated to ending all forms of violence against women, has called for global action to end the killing of women because they are women, has shown what has been done and what has to be done to improve the safety of women in conflict and in flight, has made people aware of the abuse and femicide of older women, has tackled the issue of contemporary forms of enslavement of women and girls, has attracted attention to state responsibility with regard to femicide, and has urged the establishment of a *Femicide Watch* in every country. And, sadly there are still so many forms of violence against women and so many manifestations of femicide needing to be addressed.

The FEMICIDE team has raised awareness about heinous unprosecuted crimes, which for many years have been silently witnessed by UN Member States, and will not end their work until violence against women and femicide has been eradicated. A long fight lies ahead of us; however, we are full of hope.

Seeing early volumes of FEMICIDE being used as an important “resource handbook” by delegates in negotiating and adopting the first resolution on gender-related killings by the General Assembly in 2013 confirmed the relevance of our work. A second resolution followed in 2015, whereby the General Assembly remained alarmed by the high level of impunity and was concerned about the scourge of sexual violence in conflict situations, targeted mass kidnappings, rapes and killings.

Today, we are proud to present the eleventh volume of FEMICIDE on Cyber Crimes against Women and Girls, which once again compiles strategies, best practices and innovative approaches, serves as a platform for, and provides practical support to anybody who wishes to prevent, investigate, prosecute, and punish violence against women and gender-related killings of women and girls. International organizations, NGOs, and independent researchers have come together to help produce this awareness-raising publication on the safety of women online and once again, at the same time, provide a wake-up call and a glimmer of hope.

Together, and only together, we must and can create change.

Helena Gabriel
Editor FEMICIDE XI

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**A TOTAL OF 87,000
WOMEN WERE
INTENTIONALLY KILLED
IN 2017 ...**

**50,000 WOMEN OF THE
87,000 WERE KILLED BY
INTIMATE PARTNERS OR
FAMILY MEMBERS ...**

**THIS MEANS 137 WOMEN
ACROSS THE WORLD ARE
KILLED BY A MEMBER OF
THEIR FAMILY
EVERY SINGLE DAY ...**

**THAT'S 6 WOMEN KILLED
EVERY HOUR
BY SOMEONE WHO
SHOULD
LOVE THEM.**

PART I

Important Statements

JOINT STATEMENT ON INTERNATIONAL DAY ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN

24 November 2018

End the global epidemic of femicide (#NiUnaMenos) and support women speaking up against violence against women (#MeToo).

Ahead of the International Day for the Elimination of Violence against Women, the United Nations Special Rapporteur on Violence against Women, its Causes and Consequences (SRVAW) and the platform of key United Nations and regional expert mechanisms on Violence Against Women, including the Committee on the Elimination of Discrimination against Women (CEDAW), the United Nations Working Group on the Issue of Discrimination against Women in Law and in Practice (WGDAW), the Special Rapporteur on the Rights of Women in Africa of the African Commission on Human and Peoples' Rights, the Rapporteur on the Rights of Women of the Inter-American Commission on Human Rights (IACHR), the Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) and the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), jointly call on all States and all relevant stakeholders worldwide to end the global epidemic of femicide or gender-related killings of women, and gender-based violence against women.

Available data from both States and the United Nations indicate that among the victims of all intentional killings involving intimate partners (in which there is an established intimate relationship between perpetrator and victim) almost 80% of victims are women. Most of these deaths are preventable. Intimate partner, family related, and other femicides, or gender-related killing of women persists in all corners of the world as a global epidemic that permeates both the private and public spheres (as recognized by the 2015 UN General Assembly resolution on taking action against gender-related killing of women and girls (A/RES/70/176)). The MESECVI and many States (Australia, Austria, Ecuador, Egypt, Canada, Colombia, Georgia, Guatemala, Italy, Nicaragua, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the UK and Mexico), some academic institutions and NGOs (from Croatia, Spain, the UK and Australia) have provided data on femicide to the Special Rapporteur on Violence against Women

that are available on the mandate website (<https://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/CallForFemicide.aspx>).

Despite the global reach of Sustainable Development Goal 5, which calls for the achievement of gender equality, and specifically (target 5.1), which further commits States to eliminate all forms of violence against women, girls and adolescents, and reaffirms the aim of the international and regional women's rights instruments in this regard, its implementation remains a challenge for all States. Additionally, there are numerous push back efforts that continue to undermine gender equality and empowerment of women by attacking and misconstruing the term gender, in spite of its use in UN documents (including the International Declaration on the Elimination of Violence against Women, and CEDAW's General Recommendation No. 35) to define violence against women as gender-based violence.

Regional legal frameworks such as the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention) and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (the Maputo Protocol) affirm that violence against women constitutes a violation of their human rights and a form of discrimination, that it is an offence against human dignity and that it is a manifestation of the historically unequal power relations between women and men. The #MeToo movement has also demonstrated that violence against women, girls and adolescents is happening throughout our communities and affecting us all. It impacts women from all social backgrounds, of all ages, and in all professional settings, and is deeply linked to damaging gender stereotypes and women's lack of equality.

While the movement has broken the silence on sexual harassment and other forms of sexual violence, for the most part, it has not always been followed by adequate reforms of laws and policies, nor has it produced

much needed results and changes in women's daily lives. International and regional mechanisms should capitalize on this transformative movement to re-affirm States' obligations under various human rights instruments that protect women's rights in order to promote lasting change.

The Experts also highlight that gender-based violence remains widely unpunished across the world. As women, girls and adolescents strive access to fair, unbiased and opportune justice, impunity prevails in cases of femicide, sexual violence, harassment and other violent and discriminatory crimes against them. As such, States must comply with their international and regional obligations in terms of their due diligence to investigate, identify those responsible and hold them accountable. The prevalence of impunity breeds social tolerance to this phenomenon which perpetuates these inadmissible crimes.

Indeed, new forms of gender-based violence against women have been emerging, including online violence against women, which is spreading rapidly and poses a significant risk. The so-called "doxing", "sextortion" and "trolling", as well as the non-consensual distribution of intimate content (or "revenge porn"), have already been used as methods of intimidation against women human rights defenders, women in politics, journalists, bloggers, young women, women belonging to ethnic minorities and indigenous women, afro-descendant women, LGBTIQ women, women with disabilities and women from marginalized groups. Internet intermediaries (such as Facebook, Google, Twitter, Instagram and others), as well as States share a joint responsibility to prevent and address such cyber violence against women.

The lack of inclusion in political decision-making and societal leadership helps to fuel the myriad other human rights violations that women face on a daily basis, including acts of discrimination against women in the areas of work, education, marriage and property rights, as well as the denial of sexual and reproductive services and rights, including safe and legal abortion. Harmful practices such as disappearances, human trafficking for sexual purposes, female genital mutilation, child and forced marriage, and bride kidnapping, are all forms of gender-based violence that are exacerbated by the persistent discriminatory gender stereotypes that prevent women from fully exercising their autonomy and enjoying their rightful dignity as human beings.

In addition, as more women have become involved in politics, all of the international and regional mechanisms have received information on various manifestations of political violence, from harassment through social media or sexist media coverage of women politicians to the femicide of women politicians at the local level in several countries. The development of concrete tools to identify and address these emerging and increasing forms of violence against women who exercise their political rights is a crucial component of the protection of democratic governance.

Where national governments fail to take measures to prevent sexual violence and harassment or fail to ensure that perpetrators can be held accountable, international and regional mechanisms stand ready to hold them to account. Regional human rights standards and human rights organizations have a key role to play in combatting gender-based killings, sexual violence, harassment and all other forms of violence against women.

The Experts, therefore, call for strengthened cooperation between independent global and regional mechanisms, as common synergies and efforts to address violence against women under the existing normative framework on human rights, which will contribute to closing gaps in combating and preventing violence against women worldwide. The Experts also call for the inclusion of monitoring mechanisms to ensure full implementation of Sustainable Development Goal 5.

In this regard, the undersigned mechanisms urge States, civil society and other stakeholders, to intensify efforts to eradicate violence against women and to ensure that gender-based violence is no longer tolerated, and reiterate their call to end the global epidemic of gender-based killings or femicides (#NiUnaMenos) and support the voices of those speaking up against endemic violence against women (#MeToo).

STATEMENT BY UNODC

United Nations Office on Drugs and Crime

25 November 2018

Home, the most dangerous place for women, with majority of female homicide victims worldwide killed by partners or family, UNODC study says:

Around 87,000 women were killed around the world last year, some 50,000 - or 58 per cent - at the hands of intimate partners or family members. This amounts to some six women being killed every hour by people they know, according to new research published by the United Nations Office on Drugs and Crime (UNODC) today. The study, released for the International Day for the Elimination of Violence against Women, examines available homicide data to analyse the gender-related killing of women and girls, with a specific focus on intimate partner and family-related homicide and how this relates to the status and roles of women in society and the domestic sphere.

“While the vast majority of homicide victims are men, women continue to pay the highest price as a result of gender inequality, discrimination and negative stereotypes. They are also the most likely to be killed by intimate partners and family,” said UNODC Executive Director Yury Fedotov. “Targeted criminal justice responses are needed to prevent and end gender-related killings. UNODC is releasing this research for the International Day for the Elimination of Violence against Women 2018 to increase understanding and inform action.”

Looking at the rate of female victims of homicide by intimate partners or family members, the study found that the global rate was around 1.3 victims per 100,000 female population. In terms of geographical distribution, Africa and the Americas are the regions where women are most at risk of being killed by intimate partners or family members. In Africa, the rate was around 3.1 victims per 100,000 female population, while the rate in the Americas was 1.6 victims, in Oceania 1.3 and in Asia 0.9. The lowest rate was found in Europe, with 0.7 victims per 100,000 female population.

According to the study, tangible progress in protecting and saving the lives of female victims of intimate partner/family-related homicide has not been made in recent years, despite legislation and programmes

developed to eradicate violence against women. The conclusions highlight the need for effective crime prevention and criminal justice responses to violence against women that promote victim safety and empowerment while ensuring offender accountability. The study also calls for greater coordination between police and the justice system as well as health and social services and emphasizes the importance of involving men in the solution, including through early education.

STATEMENT BY PHUMZILE MLAMBO-NGCUKA

Under Secretary-General of the United Nations and Executive Director of UN Women

25 November 2018

We still do not know the true extent of violence against women, as the fear of reprisals, impact of not being believed, and the stigma borne by the survivor—not the perpetrator—have silenced the voices of millions of survivors of violence and masked the true extent of women’s continued horrific experiences.

In the recent past, grassroots activists and survivors, as well as global movements such as “#MeToo”, “#TimesUp”, “#BalanceTonPorc”, “#NiUnaMenos”, “HollaBack!” and “#TotalShutdown” have converted isolation into global sisterhood. They are making offenders accountable, exposing the prevalence of violence from high office to factory floor. Today’s global movements are setting collective demands for accountability and action and calling for the end of impunity, to ensure the human rights of all women and girls.

This year’s United Nations theme for the International Day for the Elimination of Violence against Women is “Orange the World: #HearMeToo”. It aims to honour and further amplify voices, whether a housewife at home, a schoolgirl abused by her teacher, an office secretary, a sportswoman, or a boy who is an intern in a business, bringing them together across locations and sectors in a global movement of solidarity. It is a call to listen to and believe survivors, to end the culture of silencing and to put the survivors at the centre of the response. The focus must change from questioning the credibility of the victim, to pursuing the accountability of the perpetrator.

Those who have spoken out have helped us understand better just how much sexual harassment has been normalized and even justified as an inevitable part of a woman’s life. Its ubiquity, including within the United Nations system, has helped it seem a minor, everyday inconvenience that can be ignored or tolerated, with only the really horrific events being worthy of the difficulty of reporting. This is a vicious cycle that has to stop.

#HearMeToo is therefore also a strong call to law enforcement. It is deeply wrong that the vast majority of perpetrators of violence against women and girls

face no consequences. Only a minority of cases are ever reported to the police; an even smaller percentage result in charges, and in only a fraction of those cases is there a conviction. Police and judicial institutions must take reports seriously, and prioritize the safety and wellbeing of survivors, for example by making more female officers available for women reporting violence. Laws must recognize that sexual harassment is a form of discrimination against women and a human rights violation, both expressing and re-generating inequality, that occurs in many arenas of life, from schools to workplaces, in public spaces and online. If laws protect both formal and informal workplaces, the most vulnerable workers, like those dependent on tips from customers for their income, will have a better chance to speak out against abuse, and be heard. Employers themselves in every country can make vital impacts by independently enforcing standards of behaviour that reinforce gender equality and zero tolerance for any form of abuse.

UN Women is at the forefront of efforts to end all forms of violence against women and girls through the work we do, from our UN Trust Fund to End Violence against Women that benefited over 6 million individuals last year, to the 500-million-Euro EU-UN Spotlight initiative, which is the largest ever single investment in the elimination of violence against women and girls worldwide, to our work on safe cities and safe public spaces. In addition, we are working within UN Women and the UN system as a whole to address sexual harassment and the abuse of power within our own workplaces.

This year, together with you, we aim to support all those whose voices are still not yet being heard.

MESSAGE FROM ANTÓNIO GUTERRES

United Nations Secretary-General

25 November 2018

Violence against women and girls is a global pandemic.

It is a moral affront to all women and girls, a mark of shame on all our societies and a major obstacle to inclusive, equitable and sustainable development.

At its core, violence against women and girls is the manifestation of a profound lack of respect – a failure by men to recognize the inherent equality and dignity of women. It is an issue of fundamental human rights.

Violence can take many forms -- from domestic attacks to trafficking, from sexual violence in conflict to child marriage, genital mutilation and femicide. It harms the individual and has far-reaching consequences for families and society.

This is also a deeply political issue. Violence against women is tied to broader issues of power and control in our societies. We live in a male-dominated society. Women are made vulnerable to violence through the multiple ways in which we keep them unequal.

In the past year we have seen growing attention to one manifestation of this violence. Sexual harassment is experienced by most women at some point in their lives. Increasing public disclosure by women from all regions and all walks of life is bringing the magnitude of the problem to light and demonstrating the galvanizing power of women's movements to drive the action and awareness needed to eliminate harassment and violence everywhere.

This year, the global United Nations UNiTE campaign to end violence against women and girls is highlighting our support for survivors and advocates under the theme 'Orange the World: #HearMeToo'. With orange as the unifying colour of solidarity, the #HearMeToo hashtag is designed to send a clear message: violence against women and girls must end now, and we all have a role to play.

The same message resonates through the EU-UN Spotlight Initiative. This 500-million-euro programme will empower survivors and advocates to become agents of change in their homes, communities and

countries. But while this initial investment is significant, it is small given the scale of need. It should be seen as seed funding for a global movement.

Not until the half of our population represented by women and girls can live free from fear, violence and everyday insecurity, can we truly say we live in a fair and equal world.

STATEMENT BY THE EUROPEAN COMMISSION

European Commission and the High Representative on the International Day for the Elimination of Violence against Women

23 November 2018

“Ahead of the International Day for the Elimination of Violence against Women, we reaffirm our commitment to ending violence against women and girls. Violence against women is a grave violation of human rights and yet it is still widespread across the world. The perception that harassment or being violence towards women is normal and acceptable is wrong and must change. We all have the responsibility to say no, openly reject acts of violence or harassment, and stand by the victims.

Violence against women happens everywhere: at home, at work, in schools and universities, on the street, in public transport and online. It can happen to any woman, affecting her general well-being and preventing her from fully participating in society. Around half of women in the European Union have experienced verbal, physical or online sexual harassment. According to Eurostat, 80% of trafficking victims in the EU are female.

Around the world, about 12 million girls under the age of 18 are married every year - one every two seconds. Married girls often quickly become pregnant, drop out of school and are at higher risk of domestic violence than women who marry as adults. At least 200 million women and girls today have undergone female genital mutilation, which is still practiced in around 30 countries. Women in migration are particularly vulnerable and more exposed to abuse or violence.

Eradicating violence against women and girls is at the heart of the 2030 Agenda for Sustainable Development. It is a first step towards global peace and security, a precondition for the promotion, protection and fulfilment of human rights, gender equality, democracy, and economic growth. The European Union has put substantial actions in place to ensure violence against girls and women is ended once and for all. Our action is bearing fruit. Things have started to change.

Over the last two years, we supported more than 1.5 million girls and women with services for protection and care related to female genital mutilation. 3000 communities, representing 8.5 million people, have

publicly announced that they are abandoning this practice. On child marriage, the EU reached over 1.6 million individuals through initiatives designed to change attitudes and practices regarding girls' rights.

Global challenges require global solutions that can best be formulated and then implemented working closely together with our international partners and through effective multilateralism. In December last year, with the OECD, the Council of Europe and UN Women we agreed on a global action to combat violence against women. We are stepping up our cooperation and called on world leaders from both public and private sectors to join the intensified global effort to fight violence against women.

In partnership with the United Nations, we have launched our Spotlight Initiative, a global, multi-year initiative focused on eliminating all forms of violence against women and girls. With an unprecedented initial investment of €500 million, we are protecting and giving voice to those women and girls who have been silenced by their societies and now want to speak up. We are also leading the global Call to Action on Protection from Gender-Based Violence in Emergencies initiative. This action brings together nearly 80 aid actors to foster accountability for addressing gender-based violence.

We are also working on concluding the EU accession to the Council of Europe's Istanbul Convention on preventing and combating violence and harassment against women, which provides victims with the right of protection and support.

We must finally eliminate gender-based violence. The European Union will continue to work relentlessly towards this goal. A life free of violence is an inalienable fundamental right: depriving women and girls from freedom, means depriving the world from freedom.”

JOINT UN STATEMENT

Heads of UN agencies, UNDP, UNICEF, UN Women and UNFPA on International Day for the Elimination of Violence Against Women

25 November 2018

To commemorate this year's International Day for the Elimination of Violence Against Women, the Secretary-General's UNiTE Campaign is calling upon us to stand in solidarity with survivors and survivor advocates and women's human rights defenders who are working to prevent and end violence against women and girls. Our duty is not only to stand in solidarity with them but also to intensify our efforts to find solutions and measures to stop this preventable global scourge with a detrimental impact on women's and girls' lives and health.

The last year has been extraordinary in terms of the awareness that has been raised on the extent and magnitude of the different forms of violence inflicted on women and girls. The #MeToo campaign—one of the most viral and powerful social movements of recent times—has brought this issue into the spotlight. This awareness has been further reinforced by the awarding of the Nobel Peace Prize in 2018 to two remarkable activists, Nadia Murad and Denis Mukwege, who work on ending violence against women in conflict situations.

More than a third of women worldwide have experienced either physical or sexual violence at some point in their lives. Furthermore, research indicates that the cost of violence against women could amount annually to around 2 percent of global gross domestic product (GDP). This is equivalent to 1.5 trillion dollars.

Beyond raising awareness, governments, the private sector, the artistic community, civil society organizations, academia and engaged citizens are again looking into new ways to urgently address this global scourge. For more than 20 years, the UN Trust Fund to End Violence against Women (managed by UN Women) has been investing in national and local initiatives that translate policy promises into concrete benefits for women and girls, and contribute to the prevention of violence in the long run.

As part of the Spotlight Initiative to end violence against women and girls, a global, multi-year partnership between the United Nations and the European Union, we are working with different partners to increase the scale and level of ambition of our interventions.

We understand that reducing and preventing violence against women is transformational: it improves the health of women and children, reduces risks of acquiring HIV and sexually transmitted infections (STIs), improves economic productivity and educational attainment, and reduces the risks of mental illness and substance abuse, among other benefits.

Through the Spotlight Initiative, our agencies are mobilizing an array of stakeholders to address both the root causes of violence as well as its most immediate consequences. In line with the 2030 Agenda for Sustainable Development, the initiative fully integrates the principle of leaving no one behind. Spotlight will also build on existing good practices and evidence-based programming, as well as incorporate new solutions for accelerated results.

The UN family is working tirelessly with our partners to strengthen legal frameworks and institutions, to improve services for survivors, and to address the root causes of violence by challenging social norms and behaviours and tackling the wider gender inequalities.

Ending violence against women and girls is not a short-term endeavor. It requires coordinated and sustained efforts from all of us. Showing that these efforts yield results is the best tribute to survivors and the survivor advocates and women's human rights defenders that we are celebrating today.

PRESS RELEASE BY THE SPOTLIGHT INITIATIVE

European Union and United Nations

27 September 2018

Femicide claims the lives of 12 women in Latin America every day. With today's EUR 50 million financial contribution, the EU-UN Spotlight Initiative will fund new and innovative programmes in Argentina, El Salvador, Guatemala, Honduras, and Mexico, to help women and girls live lives free from violence and to eradicate femicide in Latin America.

"Addressing the issue of femicide comprehensively from multiple angles is essential to successful and lasting results," said UN Deputy Secretary-General Amina J. Mohammed. "No woman should die because she is a woman."

"Ending violence against women and girls is on top of our agenda. With the Spotlight initiative, we have a global coalition around this objective and are mobilizing all efforts and actions in education, awareness raising, prevention and delivering justice," said High Representative/Vice-President Federica Mogherini. "We want to make sure that women and girls never have to live in fear again, in Latin America, in Europe and around the world."

"Killing a woman for being a woman is the most outrageous crime one can conceive," said European Commissioner for International Development and Cooperation Neven Mimica. "We will work with governments and other partners to tackle the root causes of femicide, which are often rooted in patriarchal attitudes, misogyny, sexism and objectification of women."

"Gender-based violence affects every single country, and women and girls everywhere," said UN Women Executive Director, Phumzile Mlambo-Ngcuka. "With the Spotlight Initiative, the EU and the UN are working to galvanize broad collaboration with focused intent, across UN agencies, civil society partners and governments, so as to end violence against women and girls once and for all."

The new programmes will address legislative and policy gaps, strengthen institutions, promote gender-equitable attitudes, and provide quality services for survivors and

reparations for victims of violence and their families. Critically, programmes will strengthen and build women's movements both in the five countries and across Latin America.

KEYNOTE SPEECH BY HARLEM DÉSIR

OSCE Representative on Freedom of the Media

14 March 2018

Ladies and Gentlemen,

I am very pleased to be here at the United Nations Headquarters for this panel, “Dangerous Assignments: Safety of women journalists”. My thanks to the hosts, the CPJ as well as to the delegations of France, Greece and Lithuania for inviting me to speak about the safety of female journalists. It’s a hard time for safety of journalists and it’s an even harder time for safety of female journalists. Women journalists face the same risks as their male colleagues as they cover the same news as reporters, and as investigative forces. They are increasingly visible and take the same professional risks. But they are specifically targeted as women.

The most recent attack against an investigative journalist was the murder of Ján Kuciak in Slovakia. But we remember it was only October last year that Daphne Caruana Galizia was murdered in Malta for her investigation on corruption in her country. A few months before that it was Kim Wall a Swedish journalist who was sexually assaulted and killed on assignment. Others have been forced to flee their homes - like Tatiana Felgenhauer, stabbed in Radio Echo Moscow offices. Several have decided to leave their home country, like Yuliya Latynina from Novaya Gazeta after an attack in front of her home. Her fellow Novaya Gazeta colleague was Anna Politkovskaya, killed in Moscow in 2006. Many journalists are threatened these days because of their work on corruption, their criticism of those in power, but also because they are now designated as the enemy of the people by the populist leaders everywhere.

But I want to underline the specificity, and the quantity of the threats against female journalists, especially online, which have reached an unprecedented level.

Before a journalist is murdered, he or she is often threatened, harassed – sometimes physically, and often psychologically. More and more, most of these threats happen online but are just as serious with very real consequences for journalists. Attackers take advantage of the anonymity of the online space to inundate journalists with death threats and hate messages over Twitter, Facebook or email. Women, especially, are subjected to the most vitriolic and sexually explicit online attacks. Women journalists face

a double burden: attacked as journalists working in a global environment that is increasingly more difficult and dangerous. And they are also attacked as women, just for having a voice and daring to use it in the public sphere. The harassment of women journalists online has an impact on the public at large. It affects the kinds of voices we hear, the stories we read, and ultimately the freedom and quality of the societies we live in. Women’s participation in the media and other visible public spaces is clearly under threat.

Today I will take this opportunity to speak about some of the women who take daily risks to continue reporting, and who speak out to offer their testimonials of harassment to us.

I would name Arzu Geybullayeva, a journalist from Azerbaijan working from Turkey, and who has been the target of an extensive online abuse campaign including dozens of death and rape threats. She has been labelled a terrorist. But despite continued daily harassment she has become an even louder voice for media freedom, speaking openly about online and physical intimidation of journalists. I would name Humayra Bakhtiyar, a journalist from Tajikistan, who now lives in exile in Germany after threats against her escalated. Members of her family were targeted with physical violence because of her writing. I would mention Jessikka Aro, a Finnish journalist whose experience with online harassment shows that even in a country ranked number one for media freedom, online harassment is easily mobilized to try to silence women. Aro faced a massive backlash from pro-Russian trolls including text messages from people pretending to be her deceased father.

There are many reasons for such attacks: the will to intimidate, of course. But also machismo, pure cowardice and an attempt to exploit women’s vulnerability to try to silence them, which, in fact, underestimates their courage.

One root cause is probably the mass sexualisation of women. Women’s bodies are objectified to sell everything from cars to propaganda. In the media, women’s experiences are treated as “niche” or

special interest, not applicable to the general public. Women are extremely under-represented among people who are quoted and interviewed. Women, although more and more visible in the field of journalism are also still significantly under-represented in the management of the media. These factors reinforce gender inequality and normalize a distorted view of women.

Throughout the course of our project on the safety of female journalists online, we have worked with journalists from countries all over the OSCE region. We have seen this distorted view of women result in regular attacks and hatred. They are targeted in dangerous and disturbing ways, with a barrage of blatantly sexist, explicitly threatening misogynistic messages of hate. A female journalist may feel insecure in any setting, not knowing who is watching and following her, where the threats are coming from, or how likely they are to manifest themselves in a physical attack.

For those who have been targeted with online abuse there's often nowhere for them to go: no support networks, few or no resources, and often very little assistance from authorities. Female journalists often hear from law enforcement the following recommendations when it comes to online abuse and harassment: bring someone to accompany you in public, delete your social media accounts, turn off your computer or perhaps move elsewhere. In other words, get a body guard, shut up or relocate. These measures may perhaps improve safety but fall pathetically short of addressing the role of journalists to travel freely, ask tough questions and engage in public discourse.

Ladies and gentlemen,
There is no such thing as freedom of expression if it is the privilege of some, with the exclusion of others. Freedom can only be inclusive. For all.
Our full-scale awareness campaign has magnified the voices of women journalists speaking clearly and courageously. We hope this will provide a better understanding of the reality of journalists' everyday experiences of online harassment.

We know that online harassment discourages women from online participation, but there's more we need to know. For instance, what is the correlation between self-censorship and threats of sexual violence? How can we use the existing legal framework better to protect journalists online and hold to account those

who threaten them? In 2018 we'll invest much of our time in compiling research to better answer these questions and identify strategies that take into account issues such as trauma, counter-speech initiatives and support mechanisms for women media professionals.

But apart from research, we also need action. No solution will be found effective if authorities – policy-makers, law enforcement – but also the news rooms, fail to see the bigger impact of abuse and gender-based harassment: they distort the media landscape and threaten plurality and the future of the free press.

First and foremost, threats have to be looked at seriously and there should be no place for impunity. Just last week, in the Russian State Duma, a high-profile public official encouraged a group of women journalists, who had been sexually harassed at work, to find another job. This is not acceptable. Public officials must take more responsibility for ensuring a climate of safety for journalists.

Law enforcement agencies need to make it a priority to tackle the issue and treat an online threat of violence as seriously as an offline threat. Media organizations should support colleagues who receive threats, and create a culture of gender equality, in the news room and in their reporting.

Ladies and gentlemen,
The situation looks and is alarming. And yet, if we – as societies, as policy makers, as stakeholders, as citizens - hold ourselves accountable and demand action against the online intimidation of female journalists, I am convinced we will tackle so many other issues preventing women's necessary and full online participation.

In closing, allow me to quote Daphne Caruana Galizia's sons, who came to Vienna and gave a keynote address to the OSCE in December, commemorating their mother's death and calling for action to better protect journalists like her. They said: "The free flow of facts and opinions, the stock and trade of journalists, creates societies that are fairer and freer. It creates societies that are richer and more resilient: in other words, societies that are worth living in."

My Office will do all we can to create and sustain this type of society and to continue to support each and every voice that seeks to be heard.

PART II

Cyber Crimes Against Women and Girls

HERSTORICAL FORERUNNERS TO PRESENT DAY CYBER CRIMES: NON STATE TORTURERES, TRAFFICKERS, PORNOGRAPHERS, AND BUYERS

Jeanne Sarson and Linda MacDonald, Persons Against Non-State Torture (NST)

May 2019

Present day cyber crimes have herstorical forerunners. In this article we travel back to 1910 and before. Reading Ernest Bell's edited book titled, "Fighting the Traffic in Young Girls or War on the White Slave Trade," reveals the modus operandi of traffickers, torturers, and buyers of that era.¹ However, perpetrators' tactics, past and present, of objectifying, grooming, humiliating, degrading, torturing, and profiting from buying and selling women and girls remains similar. Perpetrators' use of advertising technologies has evolved, as has present day language used to describe their misogynistic-based violent tactics. We demonstrate this evolutionary process by sharing women's present-day voices who explained to us the tactics and technologies perpetrators used to torture, traffic, prostitute, and or subject them to pornographic victimizations.

1910 and Before

Take, for example, the evolution of language and the now known tactic of grooming a woman or child for sexualized exploitation. Using the term grooming in this context was only coined around 1990.² However, in 1910 this tactic was used by traffickers as figure 1 photo "Friends" illustrates.³ These 1910 traffickers' grooming hunting ground was befriending vulnerable young girls and women as they disembarked ships or trains, arriving alone in a strange United States (US) city. Or, perpetrators went hunting in towns and villages such as when Frank Kelly met small town Margaret Smith. Within several days Margaret was off with Kelly to Chicago to a promising job. Upon arrival she was "sold into one of the lowest dives in Chicago" (p. 145).⁴

A grooming recruiting tactic used by modern day traffickers.

The 1910 technology era was simply advertising "dives" such as the "Gilded Palace" with its "gay and attractive front entrance" (figure 2, p. 130).⁵ Crittenton, the author of this chapter, speaks of 1884 and his efforts to rescue girls enslaved and trafficked. The social concept of these earlier years contended the girls and women were "willing slaves," the author, however, noted they had been "unwilling slaves [and that] . . . almost every girl . . . was supporting some man . . . either her husband . . . or . . . her paramour (p. 127-128)." The language of "paramour" today translates into loverboy pimp.⁶ Their husbands were pimps and "intimate partner exploitation" remains a present-day reality (p. 14).⁷ Men were brutal. Crittenton describes their violence against young enslaved women as slaps, blows, death threats, forced intoxication, drugging into unconsciousness, girls locked up without their clothes, being held in bondage, or horrified when trapped by a mock marriage and forced into isolation away from all other supportive relationships when trafficked and prostituted into a 'gilded palace.' This was Crittenton's description of the white slave trade of New York City.

1974: Silent Until 2000

Here we introduce Lynne, a Canadian. In 2000 Lynne took two years to reveal her previously unspoken story to us.⁸ Unspoken because she felt no one would believe her life-threatening ordeal of intimate partner captivity, torture, and exploitation. Lynne began telling her story

1 Bell, E. A. (Ed.). (1910). *Fighting the Traffic in Young Girls or War on the White Slave Trade*. G.S. Bail.

2 Wikipedia. (2018, Sept 19). Child grooming. Retrieved from https://en.wikipedia.org/wiki/Child_grooming

3 Note, all works published in the United States before 1923 are in the public domain. See Wikipedia. (2018, November 23). Copyright law of the United States. Retrieved from https://en.wikipedia.org/wiki/Copyright_law_of_the_United_States

4 Roe, C. G. (1910). Warfare against the white slave trade. In E. A. Bell (Ed.), *Fighting the Traffic in Young Girls or War on the White Slave Trade* (139-154). G.S. Bail.

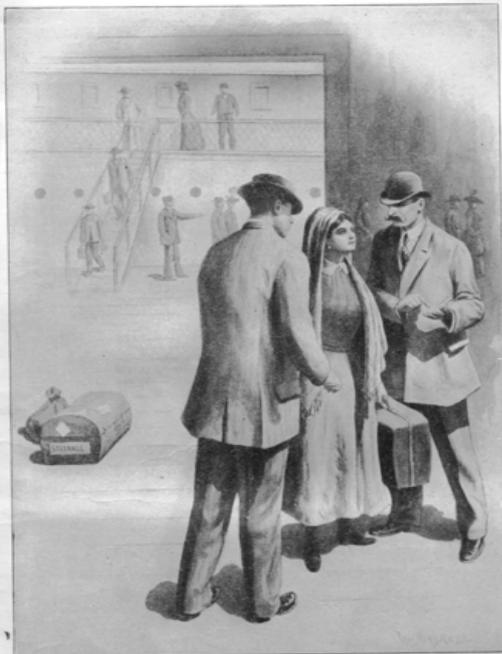
5 Crittenton, C. N. (1910). The traffic in girls. In E. A. Bell (Ed.), *Fighting the Traffic in Young Girls or War on the White Slave Trade* (127-138). G.S. Bail.

6 Ministry of Justice and Security Netherlands. (n.d.). *Tackling the problem of loverboys*. Retrieved from <https://www.government.nl/topics/human-trafficking/romeo-pimps-loverboys>

7 UNODC. (2014). *Global report on trafficking in persons 2014* (Sales No. E. 14.V.10). United Nations Publication.

8 Sarson, J., & MacDonald, L. (2009, Winter). Defining torture by non-state actors in the Canadian private sphere. *First Light*, 29-33. Retrieved from <http://ccvt.org/assets/ccvt-first-light-2009.pdf>

Figure 1



"FRIENDS" MEETING EMIGRANT GIRL AT THE DOCK
"The girl was met at New York by two 'friends' who took her in charge. These 'friends' were two of the most brutal of all the white slave traders who are in the traffic."
—U. S. Dist. Attorney Edwin W. Sims (page 55).
Foreign girls are more helplessly at the mercy of white slave hunters than girls at home. Every year thousands of girls arriving in America from Italy, Sweden, Germany, etc., are never heard of again.

by revealing Ben's grooming tactic, an account similar to that used against Margaret Smith in 1910. Lynne explained:

As I sat on an Ontario beach, in the summer of 1974 . . . convinced that being a 'good' woman meant letting a man direct my life made me an easy target. Naive, unprepared, in my mid-twenties . . . after a long-time relationship went sour, I decided to prove I was still desirable to men. . . . And yes, maybe I was infatuated by Ben who portrayed the smooth, moneyed, and street wise bad boy macho type.

In the photo of "Friends" these two traffickers were described as brutal. Likewise, Lynne shared a brief account of the brutality she suffered. Lynne said:

Six months after our wedding . . . without knowing where Ben was taking me, I excitedly boarded a plane with him. Dreamily I thought we were on our way to the land of wine and roses. . . . As the plane cruised down the tarmac . . . my excitement turned to confusion and disbelief, then to fear. . . . Ben grabbed my wrist muttering, "Don't say a thing, bitch, or you'll be sorry". . . Keeping control of me [Ben] was greeted by two men. . . . Clamping their fists over my arms they manoeuvred me to a car where a third man sat behind the [steering] wheel. . . . I was a stranger in an unknown city. Parking behind a house Ben, the driver, and the other two men . . . [threw] me into another room where I remained their captive. . . . After they'd each taken their turn at gang raping me . . . I felt utterly destroyed, breaking me in, saying "Now you belong to us, bitch". . . . I was never called Lynne again. I became a saleable "piece of meat."

Figure 2



A GILDED PALACE OF SIN
Showing the gay and attractive front entrance where the white slave trader sells young girls into a life of shame

1974 advertising technology changed. Photos advertising women's enslavement as in the 1910 "dive" were harder to find. Lynne describes that her captivity, torture, and prostituted trafficking was not a main-street advertisement. She said:

Before I became emaciated Ben forced me to pose seductively for Polaroid photos. He'd put make-up on me and sometimes dress me in a long red wig. I think these pornographic pictures were used to market me to potential perpetrator-clients. . . . Polaroid cameras were used because there were no negatives to be developed. This meant there were no risks for the goons because there were no films that needed development thus they didn't have to [be concerned] . . . with being caught.

1910: Inter- and Trans-National Human Trafficking

Going back to 1880, human trafficking was referred to as “brothel slavery” with the young girls being spoken of as being bought and sold like animals. Being raped was referred to as “deflowered”. Female Hong Kong brothel-keepers were described as cruel using “prevention of sleep . . . torture” (p. 214).⁹ Chapters of Bell’s book exposes, as an example, that Japanese and Chinese brothel slavery owners sold young teen girls into California. In Roe’s specific chapter he discusses the trafficking of 100 girls who were sent to Boston, Maine, US, identifying that one-third came from Nova Scotia.¹⁰ This is the Canadian province we live in.

Keeping with Lynne’s previous description of being treated as a “piece of meat” this is exactly how Sims described the destruction of the enslaved girls. He compared them to what happens to cattle in the meat packing business. Going back to “Friends” (figure 1), Sims describes that these two men, known as the most brutal of all the New York traffickers, met a 16-year old Italian girl who was tricked—groomed and recruited—by an American lady to leave her father’s farm near Naples, Italy, to go to New York to gain a better life. Met by these two traffickers Sims speaks of their brutal violent degradation and destruction of her before shipping her to the brothels of Chicago. Sims further explains that an Atlantic to Pacific coast white slave trade syndicate earned at least \$200,000 in 1909. Syndicate hunters travelled through France, Germany, Hungary, Italy, and Canada hunting for girls to traffic into the US.¹¹ This is now globally recognized as transnational and national organized crime, especially in relation to the sexualized exploitation of women and children.¹²

9 Bell, E. A. (1910). The yellow slave trade. In E. A. Bell (Ed.), *Fighting the Traffic in Young Girls or War on the White Slave Trade* (213-222). G.S. Bail.

10 Roe, C. G. (1910). Warfare against the white slave trade. In E. A. Bell (Ed.), *Fighting the Traffic in Young Girls or War on the White Slave Trade* (139-154). G.S. Bail.

11 Sims, E. W. (1910). The white slave trade of today. . In E. A. Bell (Ed.), *Fighting the Traffic in Young Girls or War on the White Slave Trade* (47-60). G.S. Bail.

12 United Nations Convention against Transnational Organized Crime and the Protocols Thereof. Adopted by the UN General Assembly, 15 November 2000, by resolution 55/25. Entry into force: 29 September 2003, in accordance with article 38.

1996-2006: Trans-National Organized Human Trafficking

Back to New York but in present time we introduce Sophie whose email is replicated as written to us: They flew me on a plane to Prague. i was 10. They were trying to sell me to people over there. this was my second time over there. this time They wanted to sell me permanently. They wanted to sell me and leave me there. there were so many other girls. all ages. we were all in rooms. They would come around at night and bang on our doors. we all had to get out. They would grab whichever one of us was bad that day, usually me. i knew what They wanted to do and i didn’t want it to happen. i thought if i was bad, They wouldn’t want me. They’d beat me and rape me in front of all the other girls. sometimes it was someone else and then i was watching instead of having it happen to me. i don’t know which is worse (email communication 2006).

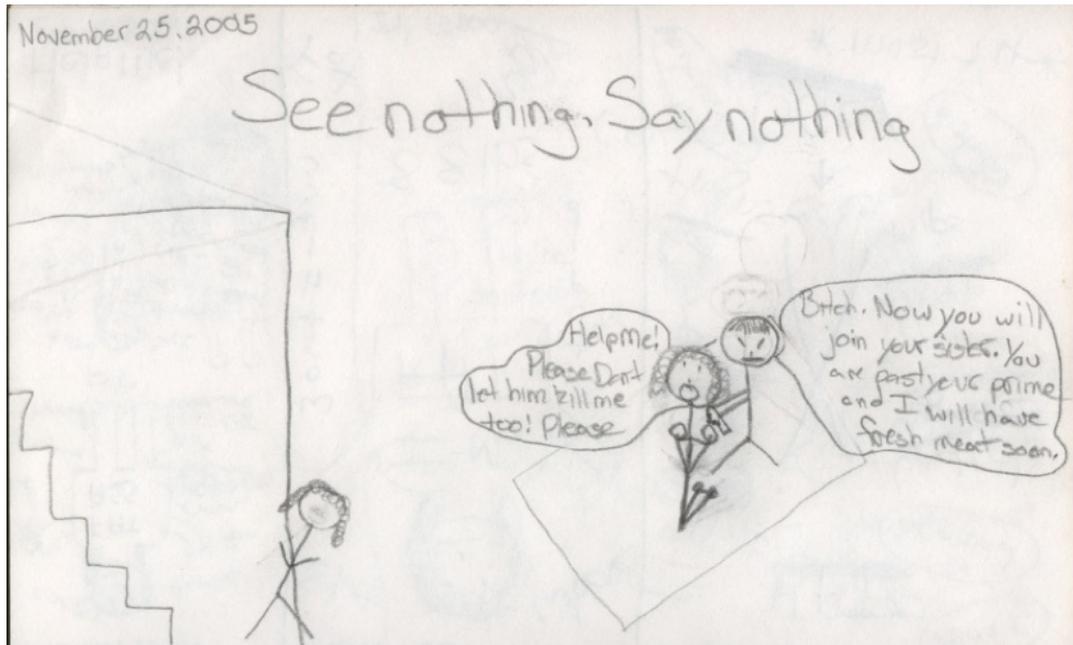
When Sophie was being trafficked as a child from New York City to Prague, Czechoslovakia, author Victor Malarek, in his book, described how Czech trafficking gangs were illegally smuggling women into New York City.¹³ Packed into filthy apartments, sleeping on mattresses on the floor, the women were forced to work at peep-show parlors where buyers paid to touch parts of their body marked off “like a meat chart”—touching breasts costs \$2, buttocks \$3, and \$5 for genital touching (p. 153).

Sophie’s survival, like the girls trafficked in 1910, was fragile given the brutality of the traffickers. Sophie for her recovery shared with us her life-threatening torture and trafficking ordeals both in words and in a ‘show and tell’ drawing. Drawing helped her to know we ‘saw’ what she survived (figure 3).¹⁴

13 Malarek, V. (2003). *The Natashas The new global sex trade*. Toronto, ON: Penguin Group.

14 Sarson, J., Gordon, E., & MacDonald, L. (in print). Family-based non-state torturers who traffic their daughters: Praxis principles and healing epiphanies. In J.S. Winterdyk, & J. Jones (Eds.), *The Palgrave international handbook of human trafficking*. London, UK: Palgrave Macmillan.

Figure 3



As technology advanced so too did the destructive otherization and dehumanizing demands of buyers. Sophie explained:

my Family wanted to sell me to Them to be in a snuff film. They'd practice. They'd pull my head back by my ponytail and put the dull side of the knife across my throat and tell me They were practicing for the real thing. i went downstairs one night because i heard screaming. one of the guys had a girl by her ponytail, like He had done to me. He wasn't using the dull end. He said He would soon have me to replace her with. she begged Him not to kill her. he just laughed. she bled a lot. i see it when i close my eyes. He raped her while she was dying, fighting to live. gurgling. He saw me. He pointed the bloody knife at me and i ran upstairs. He followed me He wiped the blood on my neck, cut me a little. told me i was next. i acted even worse after that the beatings and rapes got worse, more brutal. i didn't want to end up like the girl (email communication 2006).

Cyber crimes: Destructions and Benefits

Sophie's story leads, in this section of our article, into the modern-day era of revealing organized family-based sexualized cyber crimes against children. It also describes the violent demands of some buyers. Back to

1910, the social discourses in Bell's book made it public that trafficking involved the grooming of young teen-aged girls into 'prostitution', although there were a few mentions of pre-teen children. Family-based sexualized exploitation was not on the 1910 white slavery political agenda. The buyers' demands as described by Sophie can include visual recordings of the sexualized torture and killing of a child known as 'snuff' films. At one time snuff films were deemed not to be real; police investigations have confirmed these do exist.¹⁵ This reality exposes both the destructiveness of cyber crimes but, dreadfully, also offers benefits. When Sophie, as a child, tried to tell of the family-based torture and trafficking ordeals she explained to us that social services said she was lying. Now, research on paedophilic pornographic victimization cyber crimes provides evidence that when children attempt to tell, just as Sophie did, seldom are they believed.¹⁶ This same research evidence reveals that

¹⁵ Burke, J., Gentleman, A, & Willan, P. (2000, October 1). British link to 'snuff' videos. The Observer. Retrieved from <https://www.theguardian.com/uk/2000/oct/01/amelia Gentleman.philipwillan>

¹⁶ See: Bunzeluk, K. (2009.) Child sexual abuse images: An analysis of websites by cybertip!ca. Retrieved from http://web.archive.org/web/20091122165357/http://www.cybertip.ca/pdfs/Cybertip_researchreport.pdf; Canadian Centre for Child Protection. (2016). Child sexual abuse images on the internet: a cybertip.ca analysis summary of key findings. Retrieved from https://www.cybertip.ca/pdfs/CTIP_CSAResearchReport_Summary_2016_en.pdf; Cribb, R. (2015, April 26). Underground child porn trade moving toward youngest victims. Retrieved from <http://www.thestar.com/news/insight/2015/04/26/inside-canadas-saddest-room-working-to-curb-the-trade-in-child-porn.html>

such sexualized trafficking victimization of children includes torture, sadism, bondage, weapons use, with suggestions that necrophilia also occurs. Additionally, this research identifies that such victimizations can be inflicted beginning with new-born infants, that the girl child is predominately victimized, and that parents, other family members, and their friends are the main perpetrators. Cyber crime research makes it impossible to discredit such disclosures as unbelievable—this tragically is a benefit.

The United Nations Office on Drugs and Crime (UNODC) publication on criminal groups says creating a precise taxonomy is difficult but suggests gathering information on the modus operandi of perpetrator groups is fundamentally important.¹⁷ This is the participatory research we do in efforts to expose family-based non-State torturers who also traffic their child. On our website we have a questionnaire section, individuals can complete questionnaires anonymously or if they so decide can print off the questionnaire and mail or email it to us which some women do.¹⁸ Questionnaire 2 focuses on persons who survived non-State torture (NST) victimization. It provides a list of acts of NST they may have suffered, asking respondents to mark those they survived. Information gathered from these submissions includes:

Total submissions to questionnaire 2 = 41
No pornography pictures taken = 11 all female respondents
Pornography pictures taken = 13 all female respondents
Pornography or snuff films made/used = 17 (Female = 15; Male = 2)
Countries identified are: Australia = 5, Canada = 19, UK = 2, and the US = 15
The perpetrators were:
Parents, human traffickers, strangers, and unidentified others, each was identified 13 times
Pornographers = 8, relatives = 6, buyers = 5, pimps = 4, guardians = 3, friends = 2, and husbands = 2
Disclosures also identified that 49 percent suffered multi-perpetrator NST victimizations. The respondents' replies also exposed that in 73.2 percent of the 41

17 UNODC. (2012). Digest of organized crime cases A commented compilation of cases and lessons learned. Vienna Publishing and Library Section, United Nations Office.

18 Persons Against Non-State Torture (NST). (n.d.). Questionnaire 2 For persons who may have survived NST. Retrieved from <http://nonstatetorture.org/~nonstate/research/participate/questionnaire-2>

questionnaires submitted the perpetrators' modus operandi included using pornographic images including necrophilic cyber crime scene images such as snuff films as tools for inflicting sexualized NST victimization. Also included in this questionnaire were two questions asking if the respondents were called derogatory names and treated as non-human. Of the 37 respondents who answered these two questions 90 percent answered in the affirmative. Women disclose that as adults they are frequently disbelieved and discredited—this too is now an unacceptable societal position.

Restoring Dignity

We offer the following suggestions:

When a person discloses NST, human trafficking, and other sexualized victimizations hear how they name their victimizations then repeat their words. For example, if a woman says she was tortured do not say she was "abused", say you hear her that she was tortured. Be genuinely sorry and say so.

Feeling dehumanized, degraded, and objectified are consequences of surviving NST human trafficking, and pornification brutalization. This consequential traumatization must be considered normal post-traumatic stress responses (PTSR). We do not use the term post-traumatic stress disorder (PTSD).¹⁹ After all, what does society expect of a person who has been so victimized?

When adults inflict sexualized NST, human trafficking, and pornographic victimizations onto children this is never "sex" or "sex trafficking". Always name it as a criminal act. It is sexualized human trafficking. It is torture-rape. It is sexualized torture.

Misogynistic and misopedic victim-blaming isms were ever present in 1910 when women and girls of the "white slave trade" were referred to as living a life of shame. Today attitudes continue to dismiss women's and girls' human rights and legal equality; their sexualized victimization is a global sexualized exploitation industry (GSEI). To promote women's and girls' human and legal rights equality education is necessary, including that national laws incorporate article 5 of the United Nations Universal Declaration of Human Rights that says "no one shall be subjected to torture"²⁰

19 FiLiA. (2018, May 22). Persons against non-state torture (NST) – FiLiA meets Linda MacDonald & Jeanne Sarson interviewed by Julian Norman. <https://filia.org.uk/podcasts/2018/6/6/persons-against-non-state-torture>

20 General Assembly. (2012). United Nations declaration on human rights education and training (A/RES/66/127). <https://www.ohchr.org/EN/Issues/Education/Training/Pages/UNDHREducationTraining.aspx>

Criminalizing torture must not depend on the status of who the torturer is—whether a State or non-State actor—it must be legally defined by the acts of torture they inflict.²¹

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[Education/Training/Pages/UNDHREducationTraining.aspx](https://www.wcl.american.edu/impact/initiatives-programs/center/documents/gender-perspectives-on-torture/)

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TO END CYBER CRIMES AGAINST WOMEN AND GIRLS

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March 2019

A life without violence is every woman's right. We must create a world where women and girls can live their lives without any form of violence. Violence is never acceptable anywhere, no matter whether it is committed on streets, behind closed doors or online on the internet. Millions of women and girls around the world are affected by violence because of their gender. It must be considered that violence knows no race, no culture, no gender and no class. In this paper, I will give an insight into the general facts and definitions which relate to cyber crimes against women and girls. Further, I will emphasize prevention for women and girls when they are exposed to cyber violence.

Violence against women and girls is an essential global problem with serious implications for cultures, societies and also economies. Threats of rape and stalking lead to emotional distress and put stress on financial resources due to legal fees or online protection services.

Many women and girls have to endure physical and verbal attacks, many are harassed and even driven to suicide by online violence. A large number also have to face hate speech and trolling online.

When we think in numbers approved in the report about violence against women and girls by UN Women,¹ then it should be clear that in Europe 62 million women – 1 in 3 women – have suffered from violent acts since the age of 15. When we look at this figure globally² it becomes evident that these events occur on a shocking scale in many countries: 9 out of 10 women are reported to suffer from sexual, physical or psychological violence. Women aged 18 to 24 are at a heightened risk of being exposed to every kind of cyber violence. In Europe, 18% of women have experienced a form of cyber violence since the age of 15 – which corresponds to about 9 million women. 77% of women who have

¹ http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf

² In 2014 the European Union Agency for Fundamental Rights published results of a survey on violence against women and girls suffered in their families, at work, in public and on the internet. The results has shown following countries: Denmark (52%), Finland (47%) and Sweden (46%), while Hungary (21%), Austria (20%) and Poland (19%) have much lower rates.

experienced cyber harassment have also experienced at least one form of sexual and/or physical violence from an intimate partner. The risk of a suicide attempt is 2.3 times higher from a victim of cyber violence when compared to non-victims. As the Internet becomes more accessible, a greater reach becomes possible and with it, an increased risk of violence. Different levels, forms and dynamics of violence are always present and only governments, organizations, communities and individuals like you and me can make a change. In the age of social internet, new communication tools offered by new technologies are being misused by both men and women; the new possibilities are being used as tools to inflict harm on others as well as to assert dominance, terrorize, humiliate and silence. The tremendous and rapid spread of communication technologies³ and of mobile information show that the growing reach of the internet and the ever-increasing popularity of social media platforms such as Facebook, WhatsApp or Instagram have a big influence on the habits and behaviours of Internet users. Mobile internet means that accessibility is not limited to a specific time and that worldwide connection is possible with relatively few difficulties. It means that anti-social, aggressive and violent content could emerge rapidly without any attention to age, gender, culture or values.

To understand a form of violence, it is necessary to look at the general definition of "violence" which can be applied to cyber violence and hate speech against women and girls. The United Nations defines violence against women 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, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."⁴ More specifically, it includes: intimate partner violence and sexual assault, marriage, dowry-related violence, marital rape, sexual harassment, intimidation at work and in educational institutions, forced pregnancy, forced abortion, forced sterilization, trafficking and forced prostitution and gender-related killings. The

³ In 1995, less than 1% of the world population had the opportunity to connect to the Internet. This number changed rapidly with 40%, this means that over 3 billion people use Internet.

⁴ <http://www.un.org/womenwatch/daw/vaw/v-overview.htm>

term “cyber” is used to explain the form of violence on the online information system in which the abuse is present and can be spread and broadcast. In detail, it includes online harassment and the desire to inflict physical harm including sexual assault, murder and suicide.

According to the violence against women learning network,⁵ there are six broad categories which are related to different forms of cyber violence:

Hacking: to achieve illegal or unauthorized access to systems or resources for the purpose of gaining personal information. Examples in this regard are the violations of passwords and controlling or changing computer functions.

Impersonation: to assume the identity of the victim or someone else. An important aspect in this context is the illegal access of private information, to embarrass, shame, contact the victim, send offensive emails from victim’s email account or call the victim using unknown numbers.

Surveillance/Tracking: to stalk the victim’s activities with GPS tracking via mobile phone or to recreate the victim’s activities on the computer.

Harassment/Spamming: to contact, annoy, threaten or scare the victim, which means persistent mobile calls, texts or filling up a victim’s voicemail with messages.

Recruitment: to annoy the victim with fraudulent postings and advertisements by using chat rooms, message boards and websites to communicate or advertise.

Malicious Distribution: to manipulate and distribute defamatory and illegal materials related to the victim through threats or the leaking of intimate photos/videos. The use of technology as a propaganda tool to promote violence against women and girls.

It should also be mentioned that cyber violence against women and girls can also include hate speech such as the publishing of a libel and online stalking, which is an example of criminal harassment, as well as threats to victims. On a virtual level there are also other forms

of violence, including trafficking and the sex trade. This allows traffickers to use the legal aspects of commercial sex on the Internet as a cover for illegal activities by using the Internet for advertising sex and soliciting victims on social media. Online violence is a serious problem and it is important to understand that these different forms of violence can also lead to the death of victims. It is a practice that needs to end.

But how can we stop cyber violence against women and girls? What are the most important tools for eliminating cyber violence against women and girls? The answer is clear enough: the most important tool for eliminating cyber violence is prevention. It is important to state that the prevention system and enforced actions work only with changing social attitudes and norms in every society. We must act as individuals and we must seek to enlighten those around us. We must fight for the rights of all people and we must support every single act against violence.

Cyber violence is a serious challenge for both victims and society. Thus, the public must recognize all forms of cyber violence and understand them as an issue to be prioritized. Further, a step towards fighting cyber violence against women and girls can only be set by following three imperatives:

Sensitization: With the help of wider communities, institutions, authorities such as police and justice, parents, teachers and workshops it is important to educate the next generation of Internet users. Every single person has to be clear about the fact that cyber violence is a serious problem. Everyone has to be ready to stand up and create change for a cyber violence-free world.

Safeguards: The implementation of safeguards is necessary for providing safe online spaces, which should be controlled by different women’s shelters, crisis centers, help lines and education systems. In this way the safety measures could be supported by different resources such as active participation of the industry (digital gatekeepers), civil society and governments.

Sanctions: Sanctions should be connected with justice systems and laws. The first step is to establish necessary laws against cyber violence. The next step is the effective implementation of these. In this way, the ability of the courts and legal systems should set clear consequences for perpetrators.

⁵ http://www.learningtoendabuse.ca/sites/default/files/Baker_Campbell_Barreto_Categories_Technology-Related_VAW_.pdf

It is important to note that each of these imperatives will require collaborative support from everyone who was, is or is not, affected by cyber violence. Everyone should be careful to focus on the problem and develop strategies and preventions to address cyber violence against women and girls. Every attitude or norm which contributes to cyber violence against women and girls must be addressed with urgency. At this point, it could help to work together with education programs and community-based programs. Through these programs, it is possible to strengthen and disseminate information about online violence. Everyone has to make a contribution; only then is it possible to imagine a world with a safer, more secure Internet for present and future generations – a future without cyber violence against women and girls.

Author's recommendation

For more information about a nonviolent world and a collective global effort, please check “The Sustainable Development Goals (SDGs)” set by the United Nations. This 21st century sustainable development paradigm establishes the global development priorities for the next 10 years including a goal on gender equality, which supports women’s access to technology for their empowerment.

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NEIL WALSH OF UNODC: FIGHTING ONLINE SEXUAL ABUSE AND EXPLOITATION ON A GLOBAL SCALE

Interviewed by Helen Hemblade, FEMICIDE Team

March 2019

Neil Walsh is Chief of the Cyber crime, Anti-Money Laundering and Counter-Financing of Terrorism Department at the United Nations Office on Drugs and Crime (UNODC) in Vienna. Alongside his academic background in criminology and psychology, his broad professional experience involves fighting cyber crime, terrorism, money laundering, online child sexual exploitation, drug trafficking, human trafficking and weapons proliferation through policy making and advising, law enforcement and preventive diplomacy. He served over 15 years at the UK National Crime Agency, countering international serious organized crime and terrorism. Working as part of a joint task force with the FBI, he then led enquiries relating to the 9/11 attacks in New York, weapons trafficking and child sexual abuse before going on to hold two long-term postings with Europol HQ in The Hague and Malta.

Hemblade: How would you categorize the different forms of cyber crime against women and girls?

Walsh: There is no international definition of cyber crime and there's really challenging political reasons behind that. If we look specifically at women and girls, the biggest threat area is online sexual exploitation, typically focused at children. However, online sexual exploitation is such a wide range of offences. That's like saying 'cancer' - there are 120 different things it could be.

Sometimes you will hear the term child pornography, which doesn't exist. It's a really awful term that we try to stop people from using. I say to people, "you wouldn't describe that baby being raped as a porn star, so don't use that terminology". There is some real victim blaming that comes inherently with that, sometimes consciously, sometimes unconsciously. If you call it child pornography, porn implies consent.

On women and girls, there's some really interesting research coming out from tech companies, NGOs and law enforcement demonstrating that girls and women are proportionately more likely to be harmed online. However, the most brutal physical violence seems to be focused against baby boys. That's reasonably new

coming out, we're still trying to tease out the nuances to understand why that is. But in terms of categorizing it, you've got that obvious direct sexual exploitation where someone may be clearly and visibly violently abused online - we see some real risk in that of live streaming of abuse.

Then there's an emerging risk of tweens and teens producing sexualized material, for example, a nude selfie, and it being shared without their consent or that they commit a technical offense by even taking the photo and sending it in the first place. We are really against criminalizing children; it is not the way of dealing with it. The technology is constantly changing and so is the potential for abuse.

Hemblade: And what are the major challenges in quantifying these types of cyber crimes?

Walsh: Some of the biggest issues are in defining where it is a crime or not – there is no international definition and it's not set in the legislation of every country. If we look at some of the work that we do in helping police and prosecutors to work together, often you need dual criminality and you need the same crime in both countries to be able to share evidence.

It seems to me that there's one size doesn't fit all – there are varying approaches internationally and everything we do depends on the sort of political democracy that we sit in and that goes back to trying to quantify it: to do so you need to understand what you're talking about. Even the language surrounding this can be a challenge. This is why an initiative like the Luxembourg Guidelines,¹ which set out definitions and terms related to child protection, helps us to change the way we use terminology and realize how the terminology potentially harms. Furthermore, to quantify a crime you need to have legislation in place. A lot of online sexual abuse exists on encrypted parts of the internet and people don't self-report often because of shame, coercion or because they don't know it's wrong or all

¹ Luxembourg Guidelines: Terminology for <http://luxembourgguidelines.org/>

these reasons. It's really a hidden number. We don't really have a good sense of the figures and the scale of it. That's a real problem.

Hemblade: Do governments sometimes not acknowledge that this happens in their countries? And how do perceptions and ingrained stereotypes affect tackling abuse?

Walsh: Absolutely. I've seen this with my own eyes in a country where the government that I was with told me that child sexual exploitation doesn't happen in their country. In order to explain the threat, I opened up a forum that I knew was based on trying to recruit children as victims and created a new profile and called myself 'Claire, 12'. Within 30 seconds I was getting asked which sexual acts I would perform. The officials in the meeting then made assumptions on his age, his ethnicity, his origin. We then asked the person to send a picture and he looked and described himself as a national of that country. It is during situations like that we really start to break down those misperceptions and stereotypes. It happens everywhere.

Some of the research that's been done looking at quantification of sex offenders is really concerning. We're not talking one in 50,000. You may often have a picture in your head of what a paedophile should look like. There is no profile economically, socially or culturally. Paedophiles will get themselves into a place where they have access to children: teachers, sports coaches, that sort of thing, but still the majority of all of child abuse happens within the family or extended family. A lot of sibling-based abuse (both online and off) is becoming more visible; whether it was there to that extent before or not is not clear.

If we look at some of the research that's being done and we look at women child sexual offenders or paedophiles, it is probably under 1%. But when we see women involved in child sexual abuse, they're often involved in the most sadistic, most violent crimes. I've worked on a case where women running a children's nursery were raping the babies, filming and selling it. We have to challenge our perceptions because the moment you say it doesn't happen you close yourself off to identifying an offender and safeguarding vulnerable children or not recognizing a child who's in danger.

Hemblade: Do you feel that enough is being done by criminal justice systems to really acknowledge and act upon online harassment by ex-partners or family members who pose a risk of physical violence?

Walsh: I think there's a lot more that needs to be done. Again, terminology is important and the danger of incorrect use. For example, the term 'domestic violence' kinds of make things sound a bit less serious than they are. If a stranger attacks you in the street, you've been viciously assaulted. If you get the language wrong behind this, there is that victim blaming culture that goes with it. For example, when you hear judges, prosecutors or defence lawyers talking to a woman who's been raped or sexually assaulted asking the question 'what were you wearing'. That has zero relevance as to why women are raped. We need to change our dialogue to say this is not the fault of the victim; this is the sole fault of the offender.

When we think about the rates of harassment for women, this is an everyday life occurrence. Women constantly have to push back against things that have become societally acceptable or not challenged in the way they should be. That's why you have to start from day one with education, explaining this is not right. All genders play an important role here.

Hemblade: How important is it that states invest in awareness raising campaigns and education about sexual abuse, for parents as well as children?

Walsh: It is really important to intervene and educate from an early age and that's where we see real impact. In my past as a cop, we would hear time and again that victims didn't know how to explain what happened to them. And that's why with my kids, as soon as they can talk and walk, they learn to call their bodies what they're called. So you call your genitals vagina and penis and you're not embarrassed. I say to my kids that the only time someone should ever be touching you intimately is when there is something wrong and you need help. So you go to the doctor or mummy and daddy. And so when I wash them in the bath, I ask, "I'm going to wash your bottom now, ok?". If you have that consent-based conversation happening from a young age, you're more likely to have someone talk about it when abuse does happen - they are more likely to be empowered to ask for help.

Hemblade: And do you feel that in terms of teenage girls being at this real risk of you know, talking to paedophiles online, it's almost not taken so seriously?

Walsh: For teenagers, the age of puberty is really starting to hit at the ages of 9 or 10 so you need to be having the conversation with them before this. The Australian eSafety Office of the Commissioner did a joint study with the UK and New Zealand, called 'Young people and sexting' and for example in the UK cohort, there was some interesting gender splits suggesting that boys are still more likely to volunteer images, and girls are more likely to send as a result of requests and pressure but girls are far more likely to receive abuse as a result of being the subject of a spread image, whereas most boys will laugh it off.²

Of course, I've worked in some horrible cases where boys have committed suicide for having had stuff shared online. It really affects all genders. What we have we don't have any real research that I've seen is on transgender or any other gender self-identification of children in this space. These are metrics that we probably ought to be looking at that as well.

Hemblade: How has the dark net changed the way that UNODC tackles sexual abuse and exploitation?

Walsh: The dark net bounces the traffic through six or seven different countries before it emerges, which for investigators makes it exceptionally difficult to trace back. So that's why it's hard to identify where the threat originates from, because 10 years ago when we weren't seeing dark net based crime, the ability to accurately route where a crime originates from was much, much easier and now it's becoming much harder.

It's really only emerging that we're starting to get a decent evidence base on human trafficking as a specific crime. Remembering that human trafficking and migration are different things. You think you're going to work in a hotel and then you may be kidnapped and forced to work in the sex trade, for example, and what we now see are specific human trafficking groups operating on social network platforms like the Facebooks, the YouTubes or the Googles to recruit victims. We're actively doing research right now on that to try and get a better picture of what that threat

² eSafety Office Research: Young people and sexting: <https://www.esafety.gov.au/about-the-office/research-library>

looks like. It is still relatively new for governments and police to looking at it to get a good evidence base.

Hemblade: What can be done in the future to tackle the different forms of cyber crime, pertaining to online sexual abuse and sexual extortion?

Walsh: What I would love to see governments doing is focusing on a real picture of threat and the crimes that happen right now. There can be a temptation within governments across the world to focus on different bits of policy that are a bit older or maybe not to focus on what the real issues are. Whenever I speak in different forums in different parts of the world - economically developed or not - the threat of sexual abuse and the cyber based threat is broadly the same: it's economic, it's sexual.

CYBER INTIMATE PARTNER ABUSE AGAINST GIRLS AND WOMEN

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The vertiginous advance of the digital era has been attracting billions of consumers all around the world. In 2018, 674 million Europeans were Internet users. Internet penetration in Portugal was about 75% and social media penetration 64% (We are Social & Hootsuite, 2019). 94.1% of Portuguese youth aged 15 to 24 are frequent Internet consumers (Cardoso et al. 2014). In the last decades, since the Internet and other technology-related devices have become part of youth daily life, the risk of girls and boys being exposed to cyber crimes has increased drastically. In fact, social and intimate relationships are currently shaped by novel relational configurations mediated by cyber-technologies, which determine the emergence of alternative ways of interaction between online and offline domains, some of them highly dangerous (e.g., Forte et al. 2018).

The national study Net Children Go Mobile (Simões et al. 2014) was developed with the participation of 501 Portuguese youngsters ranging from 9 to 16 years old focusing on their online use, opportunities and risk exposure. The results showed the risks and damage: 10% of the sample reported having been bothered or upset with something on the internet, 6% mentioning bullying as one situation that caused this negative experience. These participants were mainly female, older and from socio-economically more vulnerable backgrounds. Regarding sexting behaviors, 5% mentioned receiving messages with sexual content and 3% had negative feelings towards it. Female participants, older and with more vulnerable backgrounds, were the ones more frequently involved in these experiences.

Although cyber crimes in general are perpetrated by both sexes, data from several national and international studies (e.g., Howell, 2016) have revealed that girls are more likely than boys to suffer sexual cyber crimes both in social and intimate relationships, showing that the cultural norms underlying gender violence are also reproduced in the virtual world (Yahner et al. 2015).

The adoption of the term Cyber Violence against Women and Girls by the United Nations, in 2015, emphasizes the relevance of the issue "(...) as a global

problem with serious implications for societies and economies around the world" (UN, 2015, p. 1). In fact, it is estimated that 73% of women have already been subjected to some kind of online abuse, with women aged 18 to 24 at greater risk (UN, 2015). In European countries, 18% (9 million) of women have experienced some form of serious Internet violence since the age of 15 (FRA, 2014). Yet, although several countries have adopted legislation to combat cyber-violence, the reality is that current legislation and policy approaches do not address the psychological and social impacts of harassment and/or sexual coercion that women and girls suffer through this type of crime (Henry and Powel, 2015). In fact, authorities tend to blame the victims, especially in situations involving revenge pornography, which shows a lack of awareness of these typologies of violence occurring online, but which cannot be minimized as they constitute a crime (Burney, 2009).

According to Ainsaar and Loof (2010), about half of European teens have been subjected to online sexual harassment, with girls being affected by online sexual abuse two to four times more than boys. Additionally, males seem to be more likely than females to engage in online offending with sexual purposes, especially when victims are their partners or former partners (e.g., Donner, 2016).

Cyber intimate partner abuse (cyberIPA) can be defined as any use of technology by abusers in order to exert control and violence over victims among intimate relationships. The phenomenon is very prevalent among youth and may assume multiple forms as sexting, cyberstalking, cyberharassment, cybersexual exploitation, grooming and/or revenge porn. It can include threats, insults, humiliation and isolation, and is often characterized by denigration and jealousy behaviors promoted by sharing embarrassing partner's photos or videos over the Internet and using his/her passwords without consent (Borrajo et al. 2015).

Cutbush et al. (2012) determined from a sample of 1430 adolescents aged 12 to 13, that 31.5% had been victims of cyberIPA, while 31.5% had perpetrated it.

The usage of electronic means is associated with the perpetration of psychological, physical and sexual violence.

In a study conducted among 5647 adolescents aged 12 to 18, Zweig et al. (2013) found a victimization rate of 26.3% and a perpetration rate of 11.8%, with girls (23.2%) being more victimized than boys (20.9%). CyberIPA was mostly perpetrated through social networks without permission (9%), sending messages to perform unintentionally sexual behavior (7%) or sending sexual photos (7%). Leisring and Giumetti (2014) concluded that 93% of college students both perpetrated and experienced minor cyberIPA (e.g., swearing, insulting), and 12% to 13% severe cyberIPA (e.g., threats, public humiliation).

Information about cyber crime in Portugal is scarce. Casa Branca et al. (2016) carried out an exploratory study about grooming online with 151 young participants aged between 11 and 16. Their findings point out that 20.5% of participants had suffered at least once this type of online abuse and that 70.2% did not know what online grooming is. In this research female participants presented a higher perception of risk comparing with male participant, but a similar difference was not found regarding insecurity feelings. Additionally, information from the last two years' reports on dating violence indicate that 12% of a Portuguese sample of 4600 adolescents with an average age of 15 years old admitted having suffered at least one episode of online violence in their intimate relationships and 4% revealed having shared private contents without permission (Magalhães et al. 2018). In another Portuguese study carried out with nearly 2000 college students, 13.8% of female and 8.3% of male declared having been threatened or blackmail through online methods (e.g., WhatsApp, Instagram, Facebook, email accounts, telephone) (Neves et al., 2018).

Although cyber IPA have been related to youngsters due to the widespread connectivity provided by the internet and specially by social media, research has been drawing attention to conceptualising cyber IPA as a completely separate phenomenon to offline violence, when in fact it is more accurately seen as a continuum of the violence that occurs offline (UN, 2015). The accessibility and action from a distance adds sophistication to exerting new ways to control, coerce, stalk, and harass past and present partners. For instance, through spyware software or keystroke loggers, some

of which can be freely downloaded online, a victim's online activities and even the victim's exit strategy from the abuse, can be revealed, preventing ties with perpetrators being completely severed (Al-Alosi, 2017).

Data from 2014 EU wide survey shows that 77% of women who have experienced cyber harassment have also experienced at least one form of sexual or/and physical violence from an intimate partner and that 70% of women who have experienced cyber stalking have also experienced at least one form of physical or/and sexual violence from an intimate partner (FRA, 2014).

In a recent study with 216 men convicted of domestic violence, 81% admitted perpetrating at least one act of cyber abuse during the previous year (Brem et al., 2017) and according to Woodlock (2014), 78% of women who have experienced domestic violence had received unwanted text messages, phone calls from a partner or former, 56% had a partner or ex-partner who had made them feel afraid not to respond to a phone call or text, and 56% said that the actual or former partner had already used surveillance technology to stalk them. In terms of partner stalking in the context of domestic violence, it should be highlighted that women are overwhelmingly the victims (Strand and McEwan 2011, Kuehner et al. 2012), with intimate partner stalking being linked to higher risk of femicide (McFarlane et al. 2002).

Although the studies show worrying data about the high prevalence of cyber-victimization, few cases are reported to the police authorities and, consequently, the level of convictions is equally low (Marcum et al. 2011). However, female offenders are more likely to receive longer sentences compared to men, especially when committing crimes such as identity theft or cyber fraud that result in violation of privacy and serious financial losses (Marcum et al. 2011), which is contrary to what is commonly seen in convictions for other types of crime (Blackwell et al. 2008; Deering and Mellor, 2009; Freiburger, 2010; Logue, 2010; Fernando and Lee, 2006).

Cyber crimes should be prevented in order to reduce the impacts on their victims and society in general. In addition to having adequate legislation and appropriate law enforcement, it is important that there be education and social awareness regarding this phenomenon through incentive campaigns to take security measures

and, at an international level, greater investment in the creation of cybersecurity strategies (UNDOC, 2013).

The growing prominence of mobile devices, social media, and other communication technology has opened up new avenues for gender violence, with the fast spread of content and digital footprint magnifying the consequences for the victims, having a profound impact at individual, community and society levels (Backe et al. 2018).

Psychological and social consequences of cybervictimization to victims' lives are serious (Navarro and Clevenger, 2017) and potentially incapacitating. Anxiety, sadness, negative feelings, loneliness, diminished personal growth, social avoidance, substance abuse and school dropout are some of the effects of cyberIAP (Hancock et al. 2017), as well as a 2.3 higher risk of suicide attempts (EU, 2018), although almost no data have been collected on long term health consequences of victimization (Backe et al. 2018). Additionally, researchers believe that one of the more terrifying tactics used by (digital) stalkers is to make the victim feel that she has no privacy, security, or safety, and that the stalker knows and sees everything (Fraser et al, 2010), creating a sense of omnipresence that is extremely disturbing (Woodlock, 2017).

Even though studies suggest that women and girls are more vulnerable to online victimization, there is currently a lack of research and uniform procedures on data collection, much needed for a strategic defeat of an unsafe digital world. Therefore, cyberIPA must be addressed as a systemic concern and confronted with a multi-level approach sensitive to a gender lens (UN, 2015; EIGE, 2017; EPCWGRG, 2018).

Cyber violence must be recognized as a form of misogynist gender violence against women, and security strategies must be developed alongside the voices of their victims, providing them access to justice and specialized support, as well as access to information and communication technologies free of gender stereotypes that degrade the image of women, especially in dangerous situations such as online recruitment for human trafficking purposes (EIGE, 2017).

The gender imbalance occurring in cyber crime reflects crime in general, that is, both the frequency and severity of the crimes committed by women are lower than

those committed by men (Gelsthorpe and Wright 2015; Schwartz et al., 2009). Online behaviours that reinforce conservative and inadequate gender stereotypes are reinforced and exaggerated by cyber communities, which may discourage women's involvement and interest in working or accessing computers (Hutchings and Chua, 2017).

Lastly, the development of prevention programmes creating pedagogical and secure spaces for dialogue among young people faced with sexual behaviours online and cyber crime, can empower them to be safer online and raise awareness of the gendered nature of cyber abuse. Supporting these interventions with updated and adequate resources and building capacity among teachers and other professionals playing important roles in youth education settings, are vital to improve the prevention strategies used and to incorporate the quick behavioural changes associated with risks emerging from the use of technologies.

No less important is the need to work together with parents and families promoting effective supervision of the youngsters' use of internet. Increasing the use of alternative educational strategies going beyond restrictive actions, can help to balance the opportunities and risks of virtual spaces and develop digital competences (Fernandes, 2011) that are key to preventing cyber intimate abuse against girls and women.

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CYBER CRIMES AGAINST WOMEN IN INDIA

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The internet has become a vital tool for improving equality in society, with UNHRC declaring the right to internet usage as a human right in 2016.¹ Over the past 15 years, the number of internet users in India has been growing exponentially with an estimated 500 million internet users by the year 2018; of which only 30% are women.² This large gender discrepancy reflects India's continuing problem of gender inequality, which has now permeated the 'digital' world.

The widespread usage of mobile information and communications technologies (ICTs) has enabled another medium of VAWG: Cyber VAWG. Cyber VAWG is slowly turning into a pandemic. According to the European Union Agency for Fundamental Rights publication, "Violence against women: an EU-wide survey" (2014),³ at least one in ten women have already been experiencing some form of cyber violence since the age of 15. Due to the lack of information and low digital literacy, most of these crimes go unreported, with the victims themselves being unaware of the crime taking place.

The constant evolution and expansions of 'social internet' is making it more difficult to monitor and regulate, resulting in a complex and hidden breeding ground for cyber criminals. Technological advancement has enabled criminals to remain anonymous or use fake identities, and commit crimes without any physical contact and from anywhere in the world, without any major repercussions.

1 The Promotion, Protection and Enjoyment of Human Rights in the Internet', A/HRC/32/L.20, 27 June 2016.

2 Agarwal, S., 2018. Internet users in India expected to reach 500 million by June: IAMAI. *The Economic Times*. Available at: https://economictimes.indiatimes.com/tech/internet/internet-users-in-india-expected-to-reach-500-million-by-june-iamai/articleshow/63000198.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

3 European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey – Main results*. Luxembourg: Publications Office of the European Union, p. 104. Available at: <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

The increased anonymous accessibility to any type of material on the internet has led into an emerging trend of anti-social, aggressive and violent content. 30% of the world's internet traffic comprises pornography.

According to UNESCO's 2015 report⁴ on "Cyber Violence Against Women and Girls", 88.2% of top rated porn scenes contain aggressive acts and 94% of the time the act is directed towards women. This 2015 gender report also states that boys aged 12-17 are the largest consumers of internet porn, often making a young boy's first exposure to sex include violence towards a woman.

The Spectrum of Cyber Crimes

There are various forms of cyber VAWG: cyber stalking, surveillance and tracking, gender-based slurs and online sexual harassment, spamming, 'slut-shaming', hacking, impersonation, identity theft, cyber-deception, cyber-obscenity, phishing, malicious distribution, recruitment, revenge-porn, rape and death threats and electronically enabled trafficking.

Cyber stalking can take the form of passive cyber stalking where one monitors a victim's activities and behavior in real-time, online or offline. Active cyber-stalking includes stalking via sending emails, text messages, and/or following victims on social media sites, etc., often leading to cyber harassment which takes the form of sending sexually explicit messages, threats of violence, trolling, hate speech, bullying, blackmail etc.

The above-mentioned criminal acts are still considered "mild" forms of cyber VAWG. Another form of cyber VAWG that destroys lives is non-consensual pornography. The perpetrator is often an ex-partner whose aim is to publicly shame and humiliate the person. Often, perpetrators are also criminals who hack into the victim's computer to inflict real-world damage. With a lack of checks and balances on the internet, there is a growing competition among sites that are used as platforms to upload revenge-porn,

4 ITU & UNESCO, 2015. *CYBER VIOLENCE AGAINST WOMEN AND GIRLS*. Available at: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/images/wsis/GenderReport2015FINAL.pdf>.

morphed and misogynistic images as well as victim's personal information - telephone numbers, email ids, online profiles and house addresses. Cyber crimes against women involving morphed photographs are reportedly on the rise in India.⁵ Research suggests that up to 90% of revenge porn victims are female.⁶ All of this takes place with very little to no ramifications to the perpetrators. On the contrary, it promotes the culture of 'victim-blaming' and a lack of criminal reporting.

Can The Law Compete with Internet Evolution?

Official statistics for the year 2014 by the National Crime Records Bureau of the Government of India registered 9622 cyber crimes cases with women victims and 5752 related arrests.⁷ 2015 saw a 20% increase in cyber crime cases. Despite this increase in reported cases, the NCRB statistics does not provide information regarding the type of cyber crime.

For a cyber crime to be recognized as a crime in India, it must be in violation of either the Indian Penal Code (IPC) or the Special and Local Laws (SLL). The two major laws that can be used to address cyber VAWG are the Indecent Representation of Women (Prohibition) Act, 1986 and the Information Technology Act, 2000 which underwent major amendments in 2008.⁸ There are no specific provisions for cyber VAWG and despite existing laws that can be used in lieu of the lacking specific provisions, most women are unaware of their rights or even that these rights exist. The rapid expansion of the internet and the rise of digital citizens combined with jurisdictional uncertainty has further slowed down judicial evolution.

Nonetheless, the Indian police at the state level are trying to encourage cyber crime reporting by the setting up of the Cyber Crimes Cell which will have personnel well trained in the fields of cyber forensics and in the latest technological developments. The Center

5 Cyber Crimes Involving Morphed Photos Rising, THE TIMES OF INDIA, June 29, 2015.

6 According to a survey in 2015 by the Cyber Civil Rights Initiative: <https://www.cybercivilrights.org/wp-content/uploads/2014/12/RPStatistics.pdf>. (NB this survey used a convenience sample of 1,606 respondents).

7 National Crime Records Bureau, 2017. Crime in India 2016. *Crime in India 2016*. Available at: <http://www.ncrb.gov.in/StatPublications/CII/CII2014/Compendium 2014.pdf>.

8 MeitY, *Ministry of Electronics and Information Technology*. Available at: <http://meity.gov.in/content/information-technology-act-2000>.

for Cyber Victim Counseling in India is developing education cyber-awareness programs for schools, parents and working professionals. Investigations and cases of cyber VAWG are registered under provisions provided by the IPC;⁹ S. 354D provides punishment for stalking, including cyber stalking; S. 509 deals with words, gestures or acts intended to insult the modesty of a woman; S. 292 deals with offense of 'obscenity'; S. 354A, added in 2013, deals with sexual harassment including showing pornographic material to a woman against her will; S. 354 C defines the offense of 'voyeurism'. Under the IT Act,¹⁰ 66E provides for punishment for the violation of privacy; 66A sending offensive material through a communication device; 67A publishing or transmitting sexually explicit content in electronic form.

Although these existing laws cover a wide spectrum of crimes and circumstances, the dearth of knowledge - both by victims and authority personnel, the social stigma attached with reporting of the crime and the lack of implementation of laws, is creating a pervasive and hostile unchecked online environment further hindering the advent of new, severely required, laws. With special, more delicate cases, such as revenge-porn, on the rise, many countries, including India, do not have any focused laws to prevent and punish such crimes.

Societal Change

The law is not the be-all and end-all solution. Despite a strong legal foundation, India is struggling to give justice to the victims - many of whom remain quiet. Cyber VAWG is a reflection of the already existing offline VAWG. In fact, cyber VAWG is becoming more dangerous with the blurred lines of real life and digital life. Cyber-harassment is easier, quicker and safer, with the added bonus of instant-gratification to the criminals and relatively low punishment rates. Although social media platforms have online complaint mechanisms, the considerable number of users make it almost impossible for victims to get justice.

9 Indian Penal Code, 1971

10 The Gazette of India, The Information Technology (Amendment) Act, 2008. *The Information Technology (Amendment) Act, 2008*. Available at: [http://meity.gov.in/writereaddata/files/it_amendment_act2008\(1\)_0.pdf](http://meity.gov.in/writereaddata/files/it_amendment_act2008(1)_0.pdf).

Women have to, therefore, take preventive measures themselves: educating oneself about digital security; using enhanced privacy settings; keeping everything password protected; being aware of one's digital footprint; etc. But these are all superficial fixes. The root cause is the underlying and prevalent patriarchy and misogyny in Indian society. The solution requires extensive and long-term measures that deal with overcoming the essence of VAWG.

There is a growing need to address social and cultural norms around gender and to coordinate these efforts in the digital age. Strong initiatives need to be put into action. These would include building networks and alliances; digital literacy and educational programs, development of technical solutions; improving the access of technology to girls and women; and adopting laws that specifically target internet crimes and cyber VAWG.

INDIA: SEX TRAFFICKING IN THE DIGITAL ERA

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Introduction

Human trafficking, or sometimes referred to as 'modern day slavery' (Bales, 2012), is an extensive national phenomenon in India. Every year about 20-65 million victims are trafficked worldwide, with India being a prominent source, transit, and destination country (Patel, 2013). After the trafficking of arms and drugs, human trafficking is the third most significant form of organized crime. Within India, it is estimated that 10% of the victims are trafficked out of the country, and the rest are trafficked into India from another country, or another Indian state (Mishra, 2013). India has been witnessing a proliferation of the sex trade and forced labour market are understood primarily as the movement of persons through coercion or deceit and subsequently exploited for economic gain, although trafficking for organ transplantation, skin trading, etc. are also not unknown. As is reported, in most parts of the world, Indian women and girls are the primary victims as they are used mainly for sexual exploitation, forced marriage, pornography, and domestic labour (Zimmerman & Kiss, 2017). According to reports of the National Crime Records Bureau, there were 8,132 human trafficking cases (i.e. perpetrators) reported in India in 2016 versus 6,877 reported cases in 2015. During the same year, 15,379 people were trafficked of whom 9,034 were below the age of 18 years and 10,150 were women (Bureau, 2016). The 20% increase in persons trafficked between 2015 and 2016 is notably significant but as Savona & Stefanizzi (2007), among others noted, the figure is likely an underestimation of the true magnitude of the crime. The Global Slavery Index (2018) records that an estimated 40.3 million men, women and children are victims of modern-day slavery. They further estimate that on any given day, nearly 8 million Indians are living under slavery and servitude as a result of trafficking.

Trafficking of women and girls in the sex industry is a multimillion-dollar enterprise, and this venture has grown immensely in the last decade; so much so, that UNICEF has termed it as 'the rising tide of commercial sexual exploitation' ("UN warns on South Asia child sex," 2004). The rising population, lack of

employment, absence of the desired level of industrial growth and the resultant poverty are but a few of the reasons which lure women and children into the arms of unscrupulous traffickers (Bales, 2007; Ghosh, 2009). India has further emerged as a traffickers' haven owing to its porous borders with Nepal, Bhutan, and Bangladesh in the east and north, and Pakistan to the west. The 'leaky' borders are also the golden corridors for traffickers in the South Asian region (Chakraborty et al. 2017). The trafficking situation has taken a turn for the worse with the rise of online platforms which have turned traffickers into 'ghost criminals.' Without any need for physical interaction, the various digital platforms are used to lure (i.e., recruit) women and girls under the pretext of jobs, marriage, or money. With over 460 million digitally active users, India is the second largest online market after China. India is also a massive base for mobile phone users with nearly 813 million estimated users (Number of mobile phone users in India, 2018). The emergence of the new cyberspace technologies has catapulted the situation calling for rigorous reforms in law and enforcement as it is becoming increasingly clear that the internet-cyber space is being used as a means for recruiting victims for trafficking purposes (Sykiotou, 2007).

How technology spirals the problem of human trafficking

'Thousands of young people from Jharkhand and pockets of West Bengal were thrilled when they received lucrative job offers for a south Delhi hotel through WhatsApp. However, a police investigation revealed that the mass message was sent by traffickers to snare unsuspecting victims and push them into prostitution and forced labour. Another 17-year-old girl from Nagaland was rescued from a neighbouring state's airport as she was about to board a flight to the capital on a ticket sent to her by a Delhi-based man who befriended her on Facebook. Cops say he planned to dump her in flesh trade' (Shekhar, 2017). Instances such as these abound in the present digital/internet era. Social media has turned into a callous hunting ground for sex traffickers. Activists' opinion is that the deepening internet and smartphone penetration in

rural and remote India further exacerbate the situation with thousands of minors from economically deprived regions being lured into prostitution (Shekhar, 2017). The emergence of technological forums including social media, apps, websites, and the internet in general, allow traffickers to contact and recruit vulnerable and often very young victims and also promote these services efficiently and anonymously with buyers via social media or through various apps (e.g., WeChat, WhatsApp, Instagram, Twitter, etc.) (Verham, 2015). The use of technology also reduces the cost of recruitment and is safer than physical recruitment - an approach more prevalent in poor communities, with or without access to the internet (Sherwani, 2017).

The emergence of the 'dark web' (i.e., websites that exist on an encrypted network) has pushed the problem into complete virtual obscurity. The dark web accommodates the TOR browser (it prevents somebody watching your Internet connection from learning what sites you visit) and is protected with multi-layered encryption called 'onion encryption' (Thaver, 2018). By using the TOR browser, users' information may be exchanged only through an encrypted peer-to-peer-internet connection. The user (i.e. trafficker) is ensured complete anonymity on this platform. A study at Cambridge University revealed that the code word PIZZA is used as a codeword for sex with minors, where images of sexually portraying pizzas are displayed. The study includes an example of an admitted pedophile on a dark web acknowledging a trend of pedophiles using Pizza parlours as fronts for child sex trafficking (Correcting Fake News: A Survey Experiment, 2016). The level of invisibility offered by the dark web has made it the favoured place for drug and human trafficking, child pornography, credit card frauds, identity thefts, murders, and kidnapping. In 2014, a study conducted by Dr. Gareth Owen, researcher and senior lecturer in the School of Computing at the University of Portsmouth, claimed that over 80 percent of so-called Darknet traffic across the world was generated by visits to websites related to child abuse. As Borges (2017) notes, this represents the most egregious content one could imagine, representing real harm to children. However, human trafficking is not only on the dark web. Regular websites and apps such as Craigslist, Backpage, Eros, Facebook, and the many chatrooms have enough potential to recruit young minds and unsuspectingly draw them into eventually being exploited in the human trafficking enterprise (see Formosa, 2017; Latonero, 2011).

India's response to trafficking: Legal perspectives

India's response to the problem of trafficking has been influenced considerably by its TIP (Trafficking in Persons) rankings. Between 2001 and 2003, India was classified in the Tier Two ranking of the TIP Report before being demoted to the Tier Two Watch List. It was only in 2011 when India ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, which supplemented the 2000 UN Convention Against Transnational Organised Crimes, that it made its way back onto the Tier Two list (Kotiswaran, 2012). The TIP Report (2017) reiterates that the 'Government of India does not fully meet the minimum standards for the elimination of trafficking in several key areas; overall victim identification and protection remained inadequate and inconsistent and the government sometimes penalized victims through arrests for crimes committed as a result of being subjected to human trafficking; the government's conviction rate and the number of investigations, prosecutions, and convictions were disproportionately low relative to the scale of trafficking in India...' Given the fact that, despite its claimed efforts, the government did not meet the minimum standards, it is reported that India was falling back in its enforcement of sex trafficking laws (Hart, 2011). At the regional level, the SAARC Convention on Preventing and Trafficking in Women and Children, was unanimously adopted on 5 January 2002. The Convention obliges the state to forge cooperation amongst the Member States so that they may effectively deal with the various aspects of prevention, interdiction, and suppression of trafficking in women and children; the repatriation and rehabilitation of victims of trafficking and preventing the use of women and children in international prostitution networks, mainly where the countries of the SAARC region are countries of origin, transit and destination (Sharma, 2016). India is also a party to the Child Rights Convention, 1989 and the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography, 2000 (Kumar, 2015).

To meet India's commitment under the various international instruments, a gamut of laws has been developed over the years. One of the earliest colonial legislations underlining the general criminal law of the

country, the Indian Penal Code, 1860, penalizes the buying and selling of young girls for prostitution (Indian Penal Code 1860, secs. 372, 373). Also, kidnapping or injuring a minor for begging and procuring or importing a minor girl/minor foreign girl for sexual exploitation were made criminal offences (see Indian Penal Code 1860, secs. 363A, 366A, 366B). By virtue of the Amendment Act, 2013, specific offences regarding trafficking, sections 370 and 370A were included in the Code, the word 'trafficking' being defined to include the recruitment, transportation, harbor, transfer or receipt of any person by means of threat, force, coercion, abduction, fraud, abuse or inducement with the intention of exploitation. The term "exploitation" includes all kinds of physical and sexual exploitation, including slavery, servitude and forced removal of organs (see Indian Penal Code 1860, 1860, sec. 370).

Furthermore, in pursuance of the Constitutional mandate prohibiting all forms of human trafficking under Art.23, the Immoral Traffic Prevention Act, 1955 (amended 1986), Protection of Children from Sexual Offences Act, 2012, Juvenile Justice (Care and Protection of Children) Act, 2015 have been enacted by the Government. The Information Technology Act, 2000 (as amended in 2008), passed primarily to facilitate e-commerce, incorporates offences committed in cyberspace including the publication or transmission of obscene material, materials containing sexually explicit acts or depicting children in sexually explicit acts in electronic form (The Information Technology (Amendment) Act, 2008, secs. 67, 67A, 67B). However, experts note that with increasing instances of luring, recruitment and sale of victims online, a new format has emerged which calls for specific amendment in the IT Act to include trafficking in particular ("Need to address human trafficking in IT Act," 2018).

The recent Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 is the latest effort of the Government to unify the existing laws. The Bill prioritizes the survivor's needs and provides for special courts to expedite prosecutions and decision making (Sherwani, 2017). The Bill also touches upon the emerging practice of online sale or recruitment of victims and penalizes the act of 'advertisement, publication, printing or broadcast or distribution by any means, including the use of information technology,' material that promotes trafficking or exploitation of trafficked persons. However, critics maintain, that the proposed Bill is a fallacious attempt

towards harmonization, when it in fact complicates the existing legal framework on trafficking and its enforcement (Tandon, 2018). Even the provisions criminalizing promotion or facilitation of trafficking are loosely drafted and may penalize well-intentioned acts, thereby legitimizing 'moral censorship' by Government (Swaraj Barooah & Grover, 2018).

Concluding Notes

Recognizing human trafficking as an affront to human dignity and as a transnational crime that continues to evolve while being something of an enigma has prompted both national and global leaders to strengthen their efforts to combat crime and support trafficking survivors. As former President of the United States, Barack Obama, said at the launch of a new anti-trafficking campaign in 2012: "It ought to concern every person because it's a debasement of our common humanity" (Fact Sheet: The Obama Administration Announces Efforts to Combat Human Trafficking at Home and Abroad, 2012). However, like all crimes, the nature and character of human trafficking continues to evolve, and our efforts to combat it are met with ever-increasing challenges. As discussed in this article, the growth of the digital space has made way for quick and simple means of communication that allows prospective perpetrators of human trafficking to remain anonymous, create false identities and to capitalize on the ease of use of the vast array of social media technologies and resources to conduct their criminal activities from virtually anywhere. Hence, (cyber-)trafficking can be considered a type of cyber crime, and, India with its booming generation of tech-savvy young people, is creating a new environment where potential risks of trafficking and exploitation are on the rise. Unsuspecting young people, mainly those economically marginalized, are falling prey to the 'push and pull factors' which incrementally increase women and young girls' vulnerability to being trafficked. In order to effectively combat cyber-trafficking in India (and international), there is an urgent need for collaboration between the criminal justice agencies and key stakeholders (i.e., Participation and Partnership)¹(Winterdyk, 2018). While on the one hand, tech-groups, like Facebook, Google, etc., may monitor the global effort to combat the problem and help provide accountability, the enforcement infrastructure must

¹ Part of the United Nations four pillars (4Ps) to combat human trafficking (i.e., prosecution, prevention, partnership, & protection), and a 'new' Participation (see Winterdyk in this volume).

also build up technical resources at the domestic level to prevent and protect unsuspecting women and young girls from falling prey to this omnipresent technology. Furthermore, as Grabosky (2016), among others, have recently noted, prevention of cyber-trafficking is crucial, and any effective strategy calls for international legislation on cyber crime and a standardized technological infrastructure that could facilitate intervention of the prosecuting authorities on the location and identification of the perpetrators, and it should also involve international cooperation (i.e., Participation).

Finally, to paraphrase the famous philosopher Santayana (1863-1952), "those who ignore the future are in for a rude shock when it arrives" (Grabosky, 2016, p. 137). Cyber-trafficking against women and girls will continue to plague India (and the international community) unless we make ever more informed efforts to combat it and prevent its spread.

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‘IT’S (NOT) JUST THE INTERNET’: UNDERSTANDING AND COMBATTING ONLINE HARASSMENT OF WOMEN JOURNALISTS

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Online harassment of journalists and especially of female staff has become a global issue over the last decade. Even in countries that lead the World Press Freedom Index such as Sweden or Finland, studies show that over a quarter of women journalists have suffered threats and attacks on the internet for the simple reason that they are women with an opinion. The harassment can take various forms, from insulting people in comments sections, to hacking personal information and putting it online, to threats of rape and death. This not only affects individuals and causes many of them to stop reporting on issues or to leave the profession, but it also has severe consequences for the right to receive information and the kind of information that is distributed.

Hundreds of books and articles have been written about journalism in the new digital age and the changes that accompany these transformation processes: from journalists as the gatekeepers of information to moderators of debates online, while simultaneously newsrooms are struggling financially to charge people for the consumption of online content that is presumed to be free.. Roughly the same amount of attention and research effort has been dedicated to the problems faced by women journalists over issues such as hate speech, online threats and harassment on social media and in comment sections. For the purpose of this article, the author will focus on individual attacks against women journalists rather than on troll armies sponsored by authoritarian states or companies.

When The Guardian conducted research in 2016 analyzing 70 million comments left on its web page in the last decade, it found that eight women and two black men led the ranks of the ten writers who received most abusive comments regardless of the topics they were dealing with in their texts. Furthermore, it found that “articles written by women consistently attracted a higher proportion of blocked comments than articles

written by men,”¹ meaning that female journalists generally have to deal with more backlash online than their male colleagues. Readers’ comments are blocked by content moderators if they violate the platform’s community standards, i.e. are abusive in nature due to containing insulting language or if they constitute direct personal attacks towards the writer or others, or because they are so off-topic that they distract the conversation.

Online harassment of journalists and especially of female staff has become a global issue. Even in countries that lead the World Press Freedom Index such as Sweden or Finland, where studies show that over a quarter of journalists have suffered harassment.²

According to the survey “Attacks and Harassment - The Impact on Female Journalists and Their Reporting” by the International Women’s Media Foundation (IWMF), most threats against journalists (in 61% of cases) are posted in the comment section below news articles, followed by attacks on women journalist’s professional and private Twitter accounts and emails.³

In this survey, the IWMF identifies three different kinds of online threats and attacks posed against female journalists, the first one being “Direct Harassment”, which includes calling someone offensive names, physically threatening or stalking people. The second one, “Invasion of Privacy” refers to any act of accessing and exposing information without permission in order to harm the victim. Examples of this would be

1 B. Gardiner, M. Mansfield, I. Anderson, J. Holder, D. Louter and M. Ulmanu, ‘The dark side of Guardian comments’, The Guardian, 12 April 2016 <https://www.theguardian.com/technology/2016/apr/12/the-dark-side-of-guardian-comments> (accessed 5 January 2019).

2 Reporters without Border, ‘Online Harassment of Journalists – Attack of the Trolls’ available from: https://rsf.org/sites/default/files/rsf_report_on_online_harassment.pdf p.20 (accessed 10 December 2018).

3 International Women’s Media Foundation, ‘Attacks and Harassment. The Impact on Female Journalists and Their Reporting’ available from: <https://www.iwmf.org/wp-content/uploads/2018/09/Attacks-and-Harassment.pdf> p.33, (accessed 5 January 2019).

hacking, tracking or monitoring of journalists as well as impersonation, where a person would hack into a woman journalist's account pretending to be her and posting or sending messages in her name. "Denial of Access" as a third category includes measures that lead to journalists being blocked from platforms as well as attacks that prevent access to those sites.⁴

When it comes to the perpetrators of such attacks, Reporters without Borders divide them into three main categories other than mere individuals. The first one, religious groups, often targets journalists who advocate for gender equality and the emancipation of women, while the second category, criminal organizations, aim at silencing journalists for denouncing the exploitation of women. Finally, the last category, namely, autocratic governments, use all means possible to secure the existence of their patriarchal society.⁵

While journalists of both genders suffer from such attacks, women journalists are targeted both for their work as journalists and for being women, in order to discredit them and damage their reputation. This gender dimension of online harassment is clearer when the content of abusive comments and posts is analyzed. Unlike those addressing male journalists, comments attacking women journalists not only frequently refer to body and personal features and relationships, but also very often include sexual harassment and threats of violence, rape and death to the women as well as their families. Ultimately, the attackers aim to completely silence the voice of their targets.

Before the shift to online media, news organizations were attacked for the content they produced, but not journalists as individuals.⁶ Nowadays, however, the lines between journalist's professional and private life are more blurred, as most journalists are active on social media and also share information about themselves that would not have been accessible to the broad public before the digital age. The anonymity online allows for potential attacks by anyone at any time, and in the majority of cases go unpunished.

4 *ibid.* p.12

5 Reporters without Border, 'Women's Rights: Forbidden Subject' available from: https://rsf.org/sites/default/files/womens_rights-forbidden_subject.pdf p.3 (accessed 10 December 2018).

6 Reporters without Border, 'Online Harassment of Journalists – Attack of the Trolls' available from: https://rsf.org/sites/default/files/rsf_report_on_online_harassment.pdf p.7 (accessed 10 December 2018).

In this regard, the case of Linda Pelkonen, a Finnish journalist who questioned the police for publishing the ethnicity of suspect in a rape case in 2015, is a milestone. After the publication of the article, Pelkonen received rape and death threats on social media and via email. Someone also posted her mobile number on a website and encouraged others to harass her on her phone. 18 different numbers texted her threats, while one man even called and told her he would rape her. When the journalist went to the police, the regional prosecutor told her he would not press any charges as journalists had to "endure more criticism than others" due to the public nature of her work. Together with the Finland Journalists Union, she filed a complaint to the effect that not investigating such cases would set a dangerous precedent, which led Finland's prosecutor general to take up the case. Three men were finally charged in 2017 for issuing a threat and for defamation.⁷

Impacts of online violence on the individual

As Wihbey and Kille state, "persistent threats cannot only diminish well-being and cause psychological trauma, but can undercut career prospects and the ability to function effectively in the marketplace and participate in the democracy."⁸

The same results can also be drawn from the IWMF study⁹, where over a third of women who had been threatened said they often or sometimes felt distant or cut-off from other people or suffered from repeated, disturbing and unwanted memories of the stressful experience and physical reactions as a result. In some cases, journalists also reported changing places or even leaving the country due to the severity of the threat.

7 J. Luque and H.M. Koponen, 'Journalists in Finland face 'unprecedented' levels of online abuse', International Press Institute, 8 September 2017 <https://ipi.media/journalists-in-finland-face-unprecedented-levels-of-online-abuse/> (accessed 15 February 2019)

8 J. Wihbey and L. Kille, 'Internet harassment and online threats targeting women: Research review', 13 July 2015, <https://journalistsresource.org/studies/society/gender-society/internet-harassment-online-threats-targeting-women-research-review/> (accessed 20 January 2019)

9 International Women's Media Foundation, 'Attacks and Harassment. The Impact on Female Journalists and Their Reporting' available from: <https://www.iwmf.org/wp-content/uploads/2018/09/Attacks-and-Harassment.pdf> p.36, (accessed 5 January 2019).

This also holds true for Arzu Geybullayeva, a journalist from Azerbaijan, who was named one of BBC's 100 Women of 2014.¹⁰ In the same year, she received dozens of rape and death threats because she was working for the Armenian newspaper Agos. She described her experience as "being intimidated by something that is surreal, that is online, that probably cannot physically touch [her], and yet it is done by real people how are physically present behind their computers and who are doing this to make sure that [she] feels physically punished."¹¹ Due to the severe nature of the threats she received, Geybullayeva never went back to her native country and is now living in Turkey and working as an advocate against online harassment of journalists. Unlike Geybullayeva, more than a quarter of the journalists (29%) questioned in the IWMF study indicated they thought about leaving their profession after the online threat or attack. Female journalists in their twenties and thirties were almost twice as likely to consider quitting as those in their forties and older.¹² If this trend continues, this means that young female voices and perspectives will continue to fall silent and that future generations will be presented with even fewer female viewpoints in the news.

There are two decisive factors regarding the severity and the effectiveness of online harassment when it comes to silencing female journalists: one is its unexpected occurrence and lack of context that often leaves the female journalists in shock and makes them feel invaded in their right to privacy. The first time a journalist is attacked is usually also the most shocking one, while later attacks will lack the same element of surprise. The second factor relates directly to how their organizations react to such attacks. Reporters without Borders for example recommend media organizations "make online harassment of journalists a major issue. Devote more reporting and investigating to a topic that is not well known, thereby informing and building awareness in the public at large, and among

government officials and journalists themselves."¹³ If female journalists dealing with harassment feel that they are not taken seriously when opening up to their supervisors or colleagues, they suffer twice and have a harder time coping with what happened. Unfortunately, as can also be concluded from the recommendation, there is still way too little debate about this issue in the majority of societies, thus harming those affected by online harassment even more.

Self-censorship as a risk to democracy

As the study "Journalists under pressure – Unwarranted interference, fear and self-censorship in Europe"¹⁴ by the Council of Europe from 2017 shows, 31% of the journalists questioned said they would tone down their coverage of certain stories after being harassed, while 15% stated they had totally dropped a story. Nearly a quarter (23%) said they stopped their coverage of certain stories. Even more shockingly, the study found that more than half of the interviewees (57%) would not report the incident, letting the perpetrators get away unpunished. The effects for democracy are thus enormous.

For one, because as stated in article 19 (2) of the International Covenant on Civil and Political Rights, "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."¹⁵ The public therefore has a right to know, to receive information, and if journalists are too frightened to report on certain issues, the general public might be left in the dark about potential wrongdoings or might only get a one-sided perspective on issues due to a lack of female representation.

Public discourse relies on a plurality of opinions, and women's voices need to be heard and promoted especially in a male dominated sphere such as journalism, that works both as a creator of public

10 'Who are the 100 Women 2014?' BBC, 26 October 2014, <https://www.bbc.com/news/world-29758792> (accessed 20 February 2019)

11 Arzu Geybullayeva, freelance journalist (#SOFJO) [online video] 2018, <https://www.osce.org/representative-on-freedom-of-media/373660> (accessed 19 February 2019)

12 International Women's Media Foundation, 'Attacks and Harassment. The Impact on Female Journalists and Their Reporting' available from: <https://www.iwfm.org/wp-content/uploads/2018/09/Attacks-and-Harassment.pdf> p.44, (accessed 5 January 2019).

13 Reporters without Border, 'Online Harassment of Journalists – Attack of the Trolls' available from: https://rsf.org/sites/default/files/rsf_report_on_online_harassment.pdf p.32 (accessed 10 December 2018).

14 M. Clark and A. Grech, Journalists under pressure: Unwarranted interference, fear and self-censorship in Europe, 2017, p.26.

15 International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171, Article 19 (2).

opinion and a political agenda-setter. According to a report studying 59 nations, only one third of reporters are female and just over a quarter of positions in top management level are held by women. It also found that only 24% of the people reported about in the news are women.¹⁶ Combined with the ongoing harassment of females in the media industry, this underrepresentation both in the creation and the content further fosters the image of men as the cultural standard and women as secondary, not quite as capable and important.¹⁷

Combatting online violence

The rights of women journalists are protected by international human rights law under the International Convention on Civil & Political Rights (protecting journalists rights) and the Convention on the Elimination of All Forms of Discrimination Against Women (protecting women's rights). As could be seen in Linda Pelkonen's case however, it also greatly depends on the authorities treating cases of online harassment against journalists with the necessary seriousness and not underestimating tweets or messages on the internet as something that is not real or that journalists more or less has to live with.

Following an expert meeting on the issue of online harassment of female journalists, the former OSCE Representative on Freedom of the Media, Dunja Mijatović issued a set of recommendations for states, media organizations and intermediaries on how best to counter online abuse of female journalists. States ought to "strengthen the capacity of law enforcement agencies", foster the "collection and analysis of data related to online abuse and its effects" and "establish a network of working groups", and media organizations should create guidelines and a comprehensive support system with both psychological and legal assistance as well as strict procedures of content moderation.¹⁸

While all of those recommendations obviously have their *raison d'être*, they merely touch upon the root cause of the problem, which is misogyny. When it comes to harassing female journalists online, the long-term goal is to silence them and to make them stop participating in discussions and the public life. Exactly

¹⁶ Who makes the news?, Global Media Monitoring Project 2015, p. 8.

¹⁷ Z. Antonijević, in *New challenges to Freedom of Expression: Countering Online Abuse of Female Journalists*, 2015, p.9.

¹⁸ *New challenges to Freedom of Expression: Countering Online Abuse of Female Journalists*, 2015, p.6.

this silencing of women and the process of making them invisible and passive is a key step to the objectification of not only female journalists, but women in general according to feminist theory. Whether it be religious groups, criminal organizations or even authoritarian regimes behind attacks on female journalists, they are all united as opponents of gender equality and the emancipation of women. Online harassment therefore is just another way to ensure the continuity of a patriarchal system. This trend is also quite visible when analyzing the data of the Global Media Monitoring Project that shows only a slight improvement in gender representation since 1995.¹⁹

As Snježana Milivojević, professor of Public Opinion and Media Studies at the University of Belgrade puts it, "the architecture of the internet duplicates the preexisting divisions of power and reinforces gender roles that are skewed to a particular type of both masculinity and power."²⁰ The overall question therefore is not so much about how to combat online harassment against female journalists, but how to break the gender hierarchy in the cyberspace and to change the internet culture into one where such attacks are unimaginable.

For this to happen, we would for one need more women to appear in all kinds of public spheres, not just the ones they are usually synonymous with (most stereotypically fashion), but also stereotypically male ones like politics, finances, sports etc. This would of course presuppose that the new generation of female journalists decides to go against all odds and settle for a career where they constantly have to put up with backlash only because of the unchangeable fact that they are women and that some people have a problem with them reporting in certain areas because of their gender.

On the other hand, society would also have to reinterpret the concept of masculinity as a whole and change the belief of it as the dominant sex. As long as boys are brought up believing they are born to become leaders and view girls to have a subordinate position, it is very unlikely that people's behavior online will change.

¹⁹ Who makes the news?, Global Media Monitoring Project 2015, p.7

²⁰ S. Milivojević in *New challenges to Freedom of Expression: Countering Online Abuse of Female Journalists*, 2015, p.32.

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Who makes the news?, *Global Media Monitoring Project 2015*

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VIOLENCIA EN EL NOVIAZGO ONLINE Y RIESGO DE SUICIDIO EN MUJERES JÓVENES ESPAÑOLAS

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La Violencia en el Noviazgo (VN) es un problema social y de salud que afecta a una proporción importante de jóvenes durante la adolescencia.¹ Involucra actos premeditados de violencia física, psicológica y/o sexual de un miembro de la pareja contra otro y afecta principalmente a las mujeres.² El interés por el estudio de la VN emerge a partir de 1980 en Estados Unidos. Inicialmente los estudios de VN se centran en la violencia que ocurre cara a cara (offline). Sin embargo, la expansión de las nuevas tecnologías de la información y comunicación (TICs) y la aparición de las redes sociales convierten a la VN online en un tema de relevancia actual considerándose una forma de ejercer violencia de género.³

La VN online es un tipo de violencia psicológica y relacional que se define como el control, hostigamiento, acoso y abuso de la pareja a través de las nuevas tecnologías y las redes sociales.⁴ Involucra dos dimensiones (1) violencia directa contra la pareja a través de insultos, comentarios o imágenes en las redes sociales, enviar mensajes o hacer llamadas con comentarios humillantes⁵ y (2) control y monitorización de la pareja, saber dónde y con quién está, controlar su círculo de amigos, o acceder a sus redes sociales

entre otros.⁶ También incluye el uso del aislamiento y devaluación de la pareja para conseguir dominarla⁷. Frente a la VN offline, se caracteriza por ser rápida e inmediata y por tener un carácter público, exponiendo mediáticamente a la pareja.⁸

Violencia en el Noviazgo online en cifras

A nivel internacional una macroencuesta a 42.000 mujeres de 28 países europeos concluyó que un 14% de las mujeres sobre 15 años recibieron reiteradas llamadas telefónicas o mensajes ofensivos o amenazadores de una misma persona, y que las principales víctimas de acoso cibernético son las mujeres jóvenes entre 18-29 años⁹. En España, un estudio sobre VN online con 8.125 adolescentes entre 13 a 19 años indica que un 14.7% de las chicas habían recibido algún mensaje para presionarlas a participar en actividades sexuales y un 16.6% declaró que habían difundido imágenes suyas comprometidas o de carácter sexual sin su consentimiento.¹⁰

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9 Agencia de los Derechos Fundamentales de la Unión Europea (FRA, 2014). Violence against women: an EU-wide survey Main results. <https://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>.

10 Díaz-Aguado, M. J., Arias, R. M., y Babarro, J. M. (2013). *La evolución de la adolescencia española sobre la igualdad y la prevención de la violencia de género*. Madrid: Ministerio de Sanidad, Servicios Sociales e Igualdad.

Finalmente, otros estudios informan tasas aún más altas de mujeres jóvenes que han padecido una agresión cibernética por parte de sus parejas el último año (76.5%)⁴ y de ser víctimas de control online (80.4%).¹¹

Riesgo de suicidio (RS)

La VN se ha relacionado con problemas de salud mental en las víctimas, específicamente con emociones negativas y ansiedad, pero también con un peor ajuste social y diádico¹² y con la ideación suicida.¹³ El suicidio involucra tanto pensamientos suicidas como el acto suicida en sí. Según la OMS (2018)¹⁴, el suicidio consumado es la segunda causa de muerte entre los 15 y 29 años. La violencia, el abuso y las pérdidas, así como la sensación de aislamiento están fuertemente asociados al comportamiento suicida. Estudios meta-analíticos respaldan la relación entre victimización de VN offline y un intento de suicidio posterior en mujeres.¹⁵ Otro estudio confirmó un mayor RS entre víctimas de VN offline (12 a 26 años) en comparación con las personas que no habían sido víctimas.¹⁶

Contexto social, Apego con Padres y Pares

Estudios previos confirman que los pares y amigos son unos de los agentes de socialización más influyentes

11 Borrajo, E. y Gámez-Guadix, M. (2016). Abuso „online“ en el noviazgo: relación con depresión, ansiedad y ajuste diádico. *Psicología Conductual*, 24(2), 221-235.

12 Singh, V., Walton, M. A., Whiteside, L. K., Stoddard, S., Epstein-Ngo, Q., Chermack, S. T., y Cunningham, R. M. (2014). Dating Violence Among Male and Female Youth Seeking Emergency Department Care. *Annals of Emergency Medicine*, 64(4), 405-412.e1.

13 Roberts, T. A., Klein, J. D., y Fisher, S. (2003). Longitudinal effect of intimate partner abuse on high-risk behavior among adolescents. *Archives of pediatrics & adolescent medicine*, 157(9), 875-881.

14 Organización Mundial de la Salud (2018). Prevención del suicidio Un imperativo Global. Extraído el 20 febrero, 2019 de https://www.who.int/mental_health/suicide-prevention/world_report_2014/es/

15 Devries, K. M., Mak, J. Y., Bacchus, L. J., Child, J. C., Falder, G., Petzold, M., Astbury, J., y Watts, C. H. (2013). Intimate partner violence and incident depressive symptoms and suicide attempts: a systematic review of longitudinal studies. *PLoS Med*, 10(5), e1001439.

16 Castellví, P., Miranda-Mendizábal, A., Parés, Badell, O., Almenara, J., Alonso, I., Blasco, M. J., Cebrià, A., Gabilondo, A., Gili, M., Lagares, C., Piqueras, J. A., Roca, M., Rodríguez-Marín, J., Rodríguez-Jimenez, T., Soto-Sanz, y Alonso, J. (2017). Exposure to violence, a risk for suicide in youths and young adults. A meta-analysis of longitudinal studies. *Acta psychiatrica scandinavica*, 135(3), 195-211.

durante la adolescencia, tanto para el comportamiento violento¹⁷ como para conductas prosociales.¹⁸ Un meta-análisis encontró un efecto significativo entre el acoso sexual entre pares y ser víctima de VN offline, este efecto fue mayor en mujeres.¹⁹ Otro estudio confirmó que tener compañeros con comportamientos problemáticos y ser víctima de bullying incrementan la probabilidad de ser víctima de VN offline, mientras que tener una relación de apoyo social positiva entre pares reduce la probabilidad de sufrir VN.²⁰

También, se ha confirmado que una relación problemática con los padres incrementa el riesgo de VN offline. Por el contrario, contar con un mayor apoyo y control parental reduce, aunque ligeramente, la probabilidad de sufrir y perpetrar VN offline.^{29,30}

Estudio sobre la VN online en España

Dado que la relación entre la VN online, el vínculo afectivo con padres y amigos, y el RS no han sido explorados se ha realizado un estudio correlacional en España. Se espera que, como en la VN offline, la VN online se asocie de forma positiva al RS. Además, el vínculo que las adolescentes mantengan con su entorno social próximo pueda tener un papel amortiguador en la relación entre la VN online y el RS.

Participantes

La muestra está formada por 713 mujeres entre 13 y 25 (M=19.28, DT=2.98) que tuviesen una relación de noviazgo en la cual no hubiese convivencia, ni hijos en común ni vínculos legales. El 62.9% (n=448) mantenían una relación de pareja en el momento de la encuesta, mientras que el 37.1% (n=265) la habían tenido en el

17 Miller-Johnson, S. y Costanzo, P. (2004). If you can't beat 'em . . . induce them to join you: Peer-based interventions during adolescence. In J. B. Kupersmidt & K. A. Dodge (Eds.), *Children's peer relations: From development to intervention to policy: A festschrift in honor of John D. Coie* (209-222). Washington, DC: American Psychological Association.

18 Steinberg, L. (2014). *Adolescence* (10th ed.). New York, NY: McGraw-Hill Higher Education.

19 Hérbert, M., Daspe, M. E., Lapierre, A., Godbout, N., Blais, M., Fernet, M., y Lavoie, F. (2017). A Meta-Analysis of Risk and Protective Factors for Dating Violence Victimization: The Role of Family and Peer Interpersonal Context. *Trauma, Violence and Abuse*, 1-17.

20 Park, S. y Kim, S. H. (2018). The power of family and community factors in predicting dating violence: A meta-analysis. *Aggression and Violent Behavior*, 40, 19-28.

pasado. Las participantes indicaron que la media de relación fue de 21.49 meses (DT=22) y su primera pareja había comenzado alrededor de los 16 años (M=15.95, DT=3.12).

Instrumentos

Escala de Ciberabuso en el noviazgo (CDAQ)²¹ recoge información sobre dos formas de violencia a través de internet (TICS y redes sociales): agresión directa y control y monitorización. Consta de 20 ítems que se responden en una escala Likert de 6 puntos que pregunta cuántas veces han ocurrido los comportamientos durante el último año de la relación: 1 (nunca), 2 (no en el último año, pero ocurrió antes), 3 (raramente: 1 o 2) veces, 4 (a veces: entre 3 y 10 veces), 5 (a menudo: entre 10 y 20 veces) y 6 (siempre: más de 20 veces). La consistencia interna para la escala de agresión directa es $\alpha = .84$ y para la escala de victimización de control $\alpha = .87$.

Versión reducida del Inventario de Apego de Padres y Amigos (IPPA)^{22,23} que hace referencia a la búsqueda de ayuda emocional en circunstancias difíciles, al nivel de confianza, comunicación verbal y entendimiento, y a los niveles de distancia y sentimientos de ira hacia padres y amigos. Consta de 24 ítems, 12 para padres ($\alpha = .82$) y 12 para amigos ($\alpha = .80$), que se contestan en una escala Likert con 4 opciones (1=casi nunca o nunca a 4=casi siempre o siempre).

Versión española de la escala de Riesgo de Suicidio en adolescentes asociado a la VN^{24,25} que se refiere a sentimientos de depresión y desesperanza, soledad, intentos autolíticos previos, intensidad de la ideación

de suicidio y otros aspectos relacionados con comportamientos suicidas. Consta de 15 ítems con respuesta dicotómica (Si= 1, No= 0). Se analizaron por separado los ítems referidos a ideación suicida e intentos reales de suicidio. La consistencia interna de la dimensión de apego padres es $\alpha = .868$ y de amigos $\alpha = .813$.

Procedimiento

Se aplicó un cuestionario en formato papel y online. La recogida de datos en papel se llevó a cabo en 6 centros escolares de secundaria y dos universidades. A cada centro acudieron dos investigadoras con formación especializada (psicóloga y educadora social). Los cuestionarios se aplicaron en horario de tutorías en colaboración con el profesorado. Para la recogida de datos online se utilizó la plataforma Qualtrics (<https://www.qualtrics.com/es/>). Se envió un enlace (link) a través del correo electrónico y redes sociales (Facebook, Twitter) y mensajería (WhatsApp). El tiempo medio para su cumplimentación fue entre 30-40 minutos. El estudio cumplió con los criterios éticos de investigación con seres humanos de la declaración de Helsinki.

Índices de prevalencia de VN online y riesgo de suicidio

Para la estimación de los porcentajes de VN online, se creó una variable dicotómica que permitió dividir la muestra entre quienes habían contestado que sí al menos a una pregunta de la escala (1=víctimas) y quienes no han sufrido ningún tipo de abuso (0=no víctimas). Un 66.5% de las adolescentes indicó haber sufrido alguna forma de violencia online durante su relación de noviazgo. Aproximadamente un tercio de la muestra indicó haber recibido agresión directa por parte de su pareja y casi las dos terceras partes informó haber sufrido violencia por control y seguimiento. Respecto a los indicadores de tasa de suicidio, la mayoría contestó que "sí" a algunas de las preguntas de la escala de RS. Más de una quinta parte reconoce que ha pensado en suicidarse y un 7.3% indicó haber tenido un intento real de suicidio (ver tabla 1).

21 Borrajo, E., Gámez-Guadix, M., Pereda, N., y Calvete, E. (2015). The development and validation of the cyber dating abuse questionnaire among young couples. *Computers in Human Behavior*, 48, 358-365.

22 Greenberg, M.T., Siegel, J.M., y Leitch, C.J. (1983). The nature and importance of attachment relationships to parents and peers during adolescence. *Journal of Youth and Adolescence*, 12(5), 373-386.

23 Nada S., McGee R., y Staton, W. (1992). Perceive detachment to parents and peers and psychological well-being in adolescence. *Journal of Youth and Adolescence*, 21(4), 471-485.

24 Plutchik, R., Van Praag, H. M., Conte, H. R., y Picard, S. (1989). Correlates of suicide and violence risk 1: the suicide risk measure. *Comprehensive Psychiatry*, 30(4), 296-302.

25 Rubio G., Montero I., Jaúregui J., et al. (1998). Validación de la escala de riesgo de suicidio de Plutchik en la población española, *Arch Neurobiol*, 61(4), 143-52.

	α	Si		No	
		n	%	n	%
Violencia en el Noviazgo online ¹	.925	474	65.5	235	33
Agresión Directa ²	.832	234	32.8	477	66.9
Control/Monitorización ³	.942	460	64.5	252	35.3
Riesgo de Suicidio ⁴	.773	653	91.6	46	6.4
Ideación Suicida ⁵		151	21.2	561	78.7
Conducta Suicida ⁶		52	7.3	660	92.6

Nota: Datos perdidos: ¹n =4 (0.5%); ²n=2 (0.3%); ³n=1 (0.1%); ⁴n=14 (2%); ⁵n=1 (0.1%); ⁶n=1 (0.1%)

Se analizó mediante la prueba chi-cuadrado si las víctimas de violencia online mostraron una mayor ideación y conductas suicidas. Tanto en el caso de la VN online como en el de agresión directa y control/monitorización, el porcentaje de mujeres jóvenes que pensaron en el suicidio o intentaron quitarse la vida es mayor entre las que sufrieron este tipo de violencias en comparación con las no víctimas (ver tabla 2).

	Ideación Suicida			Conducta Suicida		
	Si	No	X ²	Si	No	X ²
	n (%)	n (%)		n (%)	n (%)	
VN online						
Si	120 (80)	353 (63.3)	14.94***	43 (82.7)	430 (65.5)	6.39*
No	30 (20)	205 (36.7)		9 (17.3)	226 (34.5)	
Agresión Directa						
Si	79 (52.7)	154 (27.5)	33.99***	29 (55.8)	204 (31)	13.41***
No	71 (47.3)	406 (72.5)		23 (44.2)	454 (69)	
Control/Monitorización						
Si	115 (76.2)	344 (61.4)	11.28***	41 (78.8)	418 (63.4)	5.01*
No	36 (23.8)	216 (38.6)		11 (21.2)	241 (36.6)	

*p≤.050; ***p≤.0001

Entre las jóvenes víctimas de VN online, el intento de suicidio se incrementó en un 2.51 (OR=2.51; IC95% 1.20-5.24) y los pensamientos suicidas en un 2.32 (OR=2.32; IC95% 1.50-3.59). Las víctimas de agresión directa muestran un 2.81 más riesgo real de atentar contra su vida (OR=2.81; IC95% 1.58-4.97) y un 2.93 más riesgo de planear un suicidio (OR=2.93; IC95% 2.03-4.25) en comparación con las no víctimas. Del mismo modo, las víctimas de control tenían un 2.15 más probabilidades de intentar suicidarse (OR=2.15; IC95% 1.08-4.26) y un 2.01 (OR=2.01; IC95% 1.33-3.03) de pensar en quitarse la vida en comparación con las mujeres no víctimas.

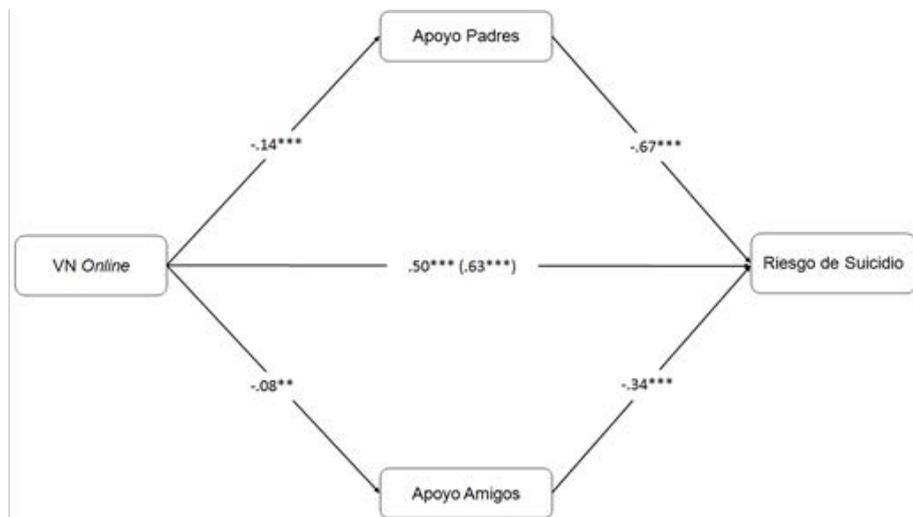


Gráfico 1. Relación entre VN online, Apoyo de Padres y Amigos, y Riesgo de Suicidio

Relaciones entre VN online, Apego con Padres y Amigos y RS

Para comprobar si existía relación entre VN online sufrida y la relación con padres y amigos se realizaron análisis de correlación. La victimización por parte de las adolescentes se relacionó con menos apego con los padres ($r=-.123$, $p=.001$) y amigos ($r=-.089$, $p=.018$) y con más RS ($r=.319$, $p=.0001$). El control y monitorización y agresión directa se relacionaron con menores niveles de apego con padres ($r=-.113$, $p=.002$ y $r=-.111$, $p=.003$ respectivamente) y con amigos ($r=-.079$, $p=.035$ y $r=-.089$, $p=.017$, respectivamente). También, el RS estaba asociado de forma positiva con el control ($r=.299$, $p=.0001$) y la agresión directa ($r=.279$, $p=.0001$), pero también con menos apego con padres ($r=-.470$, $p=.0001$) y amigos ($r=-.285$, $p=.0001$).

El apoyo de pares y amigos como factor de protección ante el RS en adolescentes víctimas de VN online

Finalmente, con el objetivo de comprobar si el apego con los padres y amigos reducía el RS entre las adolescentes que sufrieron violencia online se realizó un análisis de mediación. La VN online tuvo un efecto positivo y significativo en el RS. Un mejor apego con los padres y amigos también se relacionó con menor RS. Los efectos indirectos para apego padres ($B=.096$, $SE=.033$, $IC95\% .038, .168$) y amigos ($B=.027$, $SE=.014$, $IC95\% .004, .062$) resultaron significativos. Una mayor victimización de VN online se relaciona con menor apego con los padres y amigos, lo cual incrementa el RS en mujeres jóvenes. De forma inversa, se puede afirmar que el apoyo de los padres y amigos ante una situación de VN puede reducir el RS entre las adolescentes.

Conclusiones

El objetivo de este estudio fue comprobar la relación entre la VN online sufrida por las adolescentes españolas, el RS y el apego con los padres y amigos. Se comprueba que la VN a través de TICS y las redes sociales está presente en más del 65% de los casos, siendo la forma más prevalente de VN online las formas de control y monitorización hacia las adolescentes. Además, cerca de un tercio de las encuestadas indicó que había sufrido agresiones directas como insultos, humillaciones y amenazas a través de las redes. Estos datos confirman la alta prevalencia de VN online en las adolescentes.

Estos resultados muestran que el control a través de las TICS está normalizado y aceptado en la adolescencia y juventud, viendo los celos, la vigilancia de las amistades en las redes sociales como una forma de expresión de amor y preocupación por la pareja.²⁶ Este resultado parece apoyar lo encontrado en otra investigación, donde el 23% de las mujeres declaran ceder a sus parejas las contraseñas de acceso a sus cuentas, y el 33% de las mujeres exponen que sus parejas tienen acceso a sus chats, como una muestra de amor²⁷, y para justificar las conductas de control a las que son sometidas. Sin embargo, esta idea distorsionada sobre

26 Hernando, A. (2007). La prevención de la violencia de género en adolescentes. Una experiencia en el ámbito educativo. *Apuntes de Psicología*, 25(3), 325-340.

27 Blanco, M. A. (2014). Implicaciones del uso de las redes sociales en el aumento de la violencia de género en adolescentes. *Comunicación y Medios*. 30, 124-141.

las relaciones de pareja podría ser un punto de partida a la hora de empezar a justificar comportamientos de violencia dentro de sus relaciones.¹²

Una de las consecuencias más importantes de la VN online es el incremento del RS. Aproximadamente un 21% de las jóvenes pensaron en suicidarse en alguna ocasión y un 7.3% había tenido comportamientos autolíticos reales. Además, se confirma que la probabilidad de planear o intentar un suicidio es dos veces mayor en las adolescentes que han sufrido VN por control, y puede llegar a triplicarse entre las jóvenes que sufren agresiones directas, en comparación con las no víctimas. Estos datos fueron apoyados por los análisis de correlación que indicaron que más VN (control o agresión directa) se relacionaba con más RS. De esta forma se confirma que, no sólo las VN offline, sino que también la VN a través de las TICs y las redes sociales está estrechamente vinculada con problemas graves de salud y con un mayor RS entre las adolescentes. Estos resultados son consistentes con la Teoría Interpersonal del Suicidio²⁸ que postula que las necesidades interpersonales frustradas (es decir, la pertenencia frustrada y la carga percibida que se refiere a la violencia sufrida) y la capacidad adquirida para actuar sobre el deseo de suicidio, desarrollada a través de la exposición a experiencias dolorosas, son antecedentes inmediatos de la ideación suicida. La pertenencia frustrada se caracteriza por el aislamiento social y la percepción de una falta de relación de cuidado recíproco que son rasgos probablemente inherentes a la VN online.²⁹

También comprobamos que los vínculos de apego explicaron el incremento de RS entre las adolescentes que sufrían VN. Hay un efecto de la VN en la construcción de las relaciones de apego con los padres y amigos, indicando que las adolescentes que sufren VN tienen más dificultades para establecer vínculos afectivos de calidad basados en la confianza, la comunicación y la búsqueda de ayuda. Al mismo tiempo, el apego también incrementó el RS entre las adolescentes.

El análisis de los efectos indirectos confirmó que la mejora de los vínculos de apego con los padres y pares podría amortiguar o reducir el efecto de la VN sobre el RS, mostrando un efecto buffer.

Esto es coherente con los estudios que confirman que altos niveles de apoyo de los padres protegen a las adolescentes de desarrollar síntomas suicidas después de un factor estresante.³⁰

El presente estudio tiene como limitación que se trata de una investigación transversal. Por lo que sería interesante ver la evolución del impacto sobre la salud de la VN a través de un estudio longitudinal. Sin embargo, una implicación práctica importante de este estudio es considerar que la prevención de comportamientos de control y agresión directa online en el noviazgo podría reducir la exposición a la VN y disminuir el RS en mujeres adolescentes. Asimismo, en el caso de chicas que estén recibiendo atención por parte de algún servicio de salud mental por ideación suicida o intentos de suicidio previos se debería explorar si existen experiencias y riesgos de VN actual, e investigar la calidad de las relaciones de apoyo o aislamiento con sus padres y redes de amigos/as.

28 Joiner, T. E. y Van Orden, K. A. (2008). The interpersonal psychological theory of suicidal behavior indicates specific and crucial psychotherapeutic targets. *International Journal of Cognitive Therapy*, 1 (1), 80–89.

29 Van Orden, K. A., Witte, T. K., Cukrowicz, K. C., Braithwaite, S. R., Selby, E. A., y Joiner Jr, T. E. (2010). The interpersonal theory of suicide. *Psychological Review*, 117(2), 575–600.

30 Mackin, D. M., Perlman, G., Davila, J., Kotov, R. y Klein, D. N. (2017). Social support buffers the effect of interpersonal life stress on suicidal ideation and self-injury during adolescence. *Psychological medicine*, 47(6), 1149-1161.

THE PATH TO DIGITAL INCLUSION OF WOMEN AND GIRLS

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Introduction

The reach of the Internet is increasing, allowing for individuals to communicate, connect and achieve more access to employment, education and information. However, challenges of similar but not identical character to those found offline are reproduced online. Insufficient regulatory and legal framework results in a further increase of already existing online issues.

What is CVAWG?

A group especially vulnerable online are women and girls, who suffer from online gender inequality and digital exclusion caused by offline patriarchal structures reproduced online. Discrimination such as upheld gender bias, abusive online comments and cyber harassment have laid the foundation for a new crime group: cyber violence against women and girls (CVAWG). CVAWG is understood as the “use of internet to cause, facilitate, or threaten violence against women and girls, that results, or is likely to result in physical, sexual, psychological or economic harm or suffering and may include the exploitation of the individual’s circumstances, characteristics or vulnerabilities.¹ Mobile Internet access broadens the scope of this crime, since the violence can come at any time and follows targets everywhere.² According to the European Institute for Gender Equality (EIGE), research shows that women are disproportionately the targets of certain kind of cyber violence.³

Why is CVAWG a problem?

This crime is a growing global problem with significant societal and economic consequences, limiting the human rights of women. While three in ten women will experience violence during their lifetime, research

shows that seven in ten women have been exposed to or have experienced some form of online violence. Hence, CVAWG is an obstacle for the digital inclusion of women, who are likely to mistrust platforms and retreat from them after experiencing CVAWG. Consequently, women’s free speech is limited, and also their outsider-status prevents them from participating in the development, production and design of the online sphere.⁴ A synergic effect of this observation is the increased likelihood of the world wide web as a patriarchal hall of mirrors of the offline reality, characterized by continued unconscious bias and harassment, which again leads to a decreasing inclusion of women and potential increase of discriminatory structures.

Why is CVAWG growing so fast?

The rapid growth of CVAWG can be traced back to the fact that insufficient attention has been paid to the impact of negative images of girls online.⁵ UN Women outline the fact that only 26% of law enforcement agencies in 86 countries are taking legal measures to fight CVAWG.⁶ Besides the fear of reporting the crime, due to the high likelihood of no response or action being undertaken, only very few victims report their experiences online or to the police. This observation goes hand in hand with the limited awareness of the close linkage between the online and offline world. After introducing the different forms of CVAWG, linked to examples and interviews, the article will present the current legal and regulatory framework in order to proceed to potential solutions, what recommended action taking could look like and what measures need to be undertaken to combat CVAWG.⁷

1 European Commission (2018) Cyber crime Convention Committee:

Working group on cyber bullying and other forms of online violence, especially against women and children. Mapping Study on Cyber violence

2 Broadband Commission Working Group on Gender (2015) Combating Online Violence Against Women and Girls: A Worldwide Wake up Call. Final Report.

3 European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

4 Broadband Commission Working Group on Gender(2015) Combating Online Violence Against Women and Girls: A Worldwide Wake up Call. Final Report.

5 UN Women (2017) Executive Director’s blog series: Cyber violence. Sixteen Days of Activism against Gender Violence.

6 Messenger, Chloe (2017) Cyber Violence Against Women and Girls Exacerbates Digital Exclusion

7 Broadband Commission Working Group on Gender(2015) Combating Online Violence Against Women and Girls: A Worldwide Wake up Call. Final Report.

Forms of CVAWG

There are four predominant forms of CVAWG:

First, cyber stalking through online tools such as emails, social media and private message. This includes repeated incidents by the same person who makes the (same) victim experience distress, fear and a lack of safety. Threatening or offensive content is often included in the contact with the victim. In addition, offensive comments about and photos of the victim online are considered as cyber stalking.⁸

Second, cyber harassment describes unwanted sexual emails, texts or messages, inappropriate or offensive advances on social media or online chat rooms. Also, threats of physical and/or sexual violence per email, text or messages are included. Lastly, hate speech and content expressed to insult, threaten or target individuals due to their gender and/or sexual orientation.⁹

Third, the porn industry is a big platform of CVAWG. Non-consensual pornography (NCP) or "revenge porn" and discriminatory practices and structures are detrimental to women's presence online. NCP describes online distribution of sexually graphic photographs or videos displaying an individual who does not consent to the distribution. The purpose of this kind of violence is the humiliation and shaming of the victim and damaging her offline life. Perpetrators are not always aiming at revenge and don't need to have been sexually involved or in a prior relationship with the victim. Individuals can "just" be hacking into victims' computers, phones or social media accounts. 90% of revenge porn victims are female, and this form of violence is steadily increasing due to rising amount of websites dedicated to sharing non-consensual porn. Not only do these sites promote content, but also the sharing of victim's personal information is encouraged.¹⁰

Besides videos or pictures, another practice increasing over the last years is live streaming of rape on sites such as Facebook. In Sweden, this had led to sharpening of the sexual harassment and rape law which has lowered the burden of proof for victims. The law now defines rape more broadly, demanding explicit physical or

8 European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

9 European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

10 European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

verbal consent to the sexual act, in order to make grey zone cases, in which women are not demonstrating active participation, punishable.¹¹ Besides the previously outlined "revenge porn", most pornography online addresses a male, heterosexual audience. The widespread "shame" in female pleasure is reproduced by this practice, oppressing women's demand for pornography. There are only very few gender conscious producers or initiatives in the industry, such as for example the producer Erika Lust or Make Love Not Porn.

Interview with a female gamer and with a former game critic

A closer look to sexism and gender-based aggression online, for example, in the gaming world, one can show that it really is part of the everyday life of a girl or a woman. An interview with a female gamer from Spain showed that, for a girl, there are other rules when trying to play with the "big boys". As a matter of fact, not only adult women experience online mobbing; sadly enough it also happens to girls. As the Spanish woman interviewed stated, this had already happened to her by the age of 14, but what is even more shocking is her statement: "I didn't feel very bad, because sadly it wasn't the first time that I was harassed because of my gender. I (and my female friends) already had lots of experiences related to harassment, abuse, provocations, etc." At a very vulnerable phase during puberty, she was confronted with cyber mobbing while playing a MMORPG (World of Warcraft). The things that she was called ranged from "show me your boobs" to "go back to kitchen" or even accusations such as "that's why we are going to lose". Even though she was only 14, she still tried to "stay firm and make them understand that they wouldn't be able to succeed in making her feel bad enough to stop her from doing something that she loved". She did not give up and kept on playing, because it was a hobby that she really enjoyed and no comment or rude behaviour was able to stop her. Unfortunately, not all women are as mentally strong, eventually retreat from the gaming scene, and those negative comments or threats sometimes start to nag at them and their personality, leaving them with insecurities and low self-esteem. One possible way to deal with negative encounters is to ignore them and instead focus on the positive feedback, just like R. from Spain did. She says that "there were a lot of

11 Svenska Riksdagen (2018) En ny sexualbrottslagstiftning byg på frivillighet

people who were open-minded enough to accept that a girl can play videogames the same way a boy does and that they don't necessarily "belong to different worlds and that no one has the right to be disrespectful with another person based on the other individual's gender". But the negative comments also made her "invest more time" so that she would "become a better player, in order to show them that their attitude was based on prejudices".

Rape Game

According to Videogame critic Martin Römer, who is based in Vienna, the discrimination of women is widespread in the gaming community. One specific game we asked him about was a "zombie apocalypse rape game". The website steam.com (...) allows for all types of games to appear in a "test-phase" online, before being approved by the website runners themselves. Within this context a game was published that centers on raping women. The more women the player rapes within a "zombie apocalypse", the higher are the chances of winning. The response to critics of the game online has been that "any form of violence" can be used in the gaming world, including rape. However, this case is different. Without aiming to promote violent content online, we argue that shooting at others (randomly chosen) players in order to survive (terrorist vs. combat units, or gangsters vs. police etc.) and be shot yourself, is of a different character from violence targeted at a certain group (women), in form of rape. One could compare it to a game in which one only gets points if one targets people due to their ethnicity. This would also not be allowed on these specific grounds – discrimination against a certain group. Obviously the game was not allowed for this very reason but very different reasons were given in reality for removing the game.

Dead or Alive

This street fighter game continues appearing in media, and is famous for girls having "giant breasts" and "very brief bikinis". The next generation of the game was supposed to be more moderate and respectful; however, changes did not happen as the content remained highly sexist. Römer concluded by summing up the gaming world for girls as follows: "Players either engage with female players in hope for flirtation and sexual connection, or they refrain from playing with them since they are biased and believe girls to play

worse. If the girl is on the other team, it is common for her to become the target of assault."

Legal responses so far

Cyber violence against women and girls has not been fully conceptualised or established at EU level. Furthermore, there has been no gender-disaggregated survey on EU level regarding the prevalence and harms of CVAWG and there is limited national-level research within EU Member States. However, the research that is available suggests that women are disproportionately the targets of certain forms of cyber violence compared to men, as women are significantly more likely to have been victims of online sexual harassment and cyber stalking. The current evidence suggests that the forms of violence and the resulting harm is experienced differently by women and men, but experts have warned against conceptualising CVAWG as a completely separate phenomenon to 'real world' violence, when in fact it is more appropriately seen as a continuum of offline violence.¹²

In most Member States forms of CVAWG are not criminalised, and therefore police or justice data on the phenomenon is hardly available. In Member States where forms of CVAWG are criminalised, the data collected is lacking disaggregation by sex of the victim and perpetrator, and the relationship between them, which limits the usefulness of the data. This lack of data makes it hard to conduct a gendered analysis of cyber violence and a comparison of online and offline VAWG. Several Member States have adopted legislation targeting forms of CVAWG; for example, provisions criminalising revenge porn have been enacted in the U.K., France, Germany and Malta. In the UK, in 2015 it became a criminal offence with maximum two-years imprisonment to share private sexual photographs or videos without the subject's consent. In 2016, France adopted the 'Digital Republic Law,' which entails a harsher sanctioning of those found guilty of revenge porn. Similar provisions were enacted in Germany, where from 2014 on it has been illegal to store intimate photographs of a former partner after they have called for their deletion. While this is a step in the right direction, studies suggest that current legal and policy approaches in the EU fail to adequately capture the social and psychological harm. Yet, in 2009, the UK launched The National Centre for Cyberstalking Research (NCCR),

¹² European Institute for Gender Equality (2017) *Report on Cyber Violence Against Women and Girls*

which aims to provide research and analysis into the prevalence, motivations, impacts and risk assessment of CVAWG. Subsequently in 2015, a helpline for victims of revenge porn was established. From July 2017, Slovenia launched the project 'CYBERVAW', which aims to develop awareness-raising and education activities that spread a clear message of zero tolerance to VAWG, with a specific focus on prevention of gender-based cyber violence and harassment.¹³

One major problem is the fact that the response of the criminal justice sector to women victims of CVAWG is inadequate, which means that that reported incidents during the first six months after its criminalisation result in no further action being pursued against the alleged perpetrator. Criminal justice authorities take a different, and less effective, approach to violence and harassment perpetrated online compared to offline. Women are frustrated with police who tend to treat each individual online communication as a discrete act, rather than considering the cumulative impact of abuse, and minimising the harms of CVAWG by constructing victims' experiences as "incidents" rather than patterns of behaviour over time. Moreover, victim-blaming attitudes persist, especially in cases of revenge porn, demonstrating a lack of understanding and awareness. The fact that more than half of stalking and cyber stalking victims did not acknowledge their own experience as a crime presents an even bigger problem. The EU is missing effective policy interventions at both the EU and Member State level, including training for police and justice sector staff on CVAWG and awareness-raising campaigns.¹⁴

Outlook and discussion

To sum up, it has to be said that it is frankly sad that generations of women have had no other job but to prove for years, decades and even for centuries that women deserve the same rights as men. Just imagine how much energy it must have cost them to be able to do anything in this world without being judged, repressed or banned. And actually not being able to focus on all the things that they wanted to do, because they had to put all their energy into proving themselves and paving new ways of thinking and acting. How

much strength has been necessary to handle all that with grace, motivation and optimism that eventually all the effort will be worth it one day? The interview partner from Spain said that she "is a very optimistic person" and she is really convinced that it will all get better. R. stated that "people are starting to realize that those guilty of cyber mobbing are those who carry it out" and in her opinion women "are starting not to fear, not to shut up, not to cover up". The majority of women nowadays feel that harder laws, actual law enforcement and awareness still lacks in order to provide a safer future for female generations that are yet to come. A whole mind-set has to be changed so that girls don't feel as if they have to prove to boys that they are worthy, capable and have the same knowledge in a certain field.

Policy and lawmakers need to pay attention to three aspects when making decisions:

Public sensitization

Political groups or initiatives should be promoted and encouraged to raise awareness about this issue. These efforts should be made in all sectors of civil society: schools, workplace and universities. Education is especially important, since the internet debut happens at an increasingly early age. The sensitization also need to take place in schools and address children of all ages. That way, an understanding of the meaning and impact of CVAWG can be created. Especially, for both victims and perpetrators, it is important to realize that online behaviour is not less innocent than the one happening offline. All in all, social attitudes need to be changed in order to prevent future CVAWG.

Safeguards

Governments need to promote safeguards for increased online equality and safety. Crisis centers, online women's shelters, help lines and education. Also, more pressure needs to be put on website owners and distributors of online content, since the digital world is in serious need of regulation. Some content (revenge porn) ought to be removed or banned, whereas the response to harassing behavior should be zero-tolerance. This can be linked to creative measures, such as increasing the potential of losing a life in an online game. Similar to the Swedish legal response to live streamed rapes, the sexual criminal law should be equally applied to the online sphere. If no measures

¹³ European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

¹⁴ European Institute for Gender Equality (2017) Report on Cyber Violence Against Women and Girls

can be thought of regarding how to do this, increased investment on research and development regarding this issue should be made, similar to the Australian governmental practice. For the effective development and implementation of safeguards, law and policy makers, experts, digital gatekeepers in industry and civil society need to cooperate.

Sanctions

Enforcement of sanctions through courts and legal systems are needed, in order to enforce compliance and punitive measures for perpetrators.

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PART III

Contemporary Enslavement of Women and Girls

CONTEMPORARY ENSLAVEMENT AND TRAFFICKING OF WOMEN AND GIRLS

Summary by Sarah Wilkin, Soroptimist International

ACUNS Vienna Liaison Office Special Side Event at the Conference of the Parties (COP9) to the United Nations Convention against Transnational Organised Crime (UNTOC), 17 October 2018

Around 800 Government representatives, crime experts and civil society partners met in Vienna, 15 - 19 October 2018, for the Ninth Session of the Conference of the Parties (COP9) to the United Nations Convention against Transnational Organised Crime (UNTOC). Approaching its 20th anniversary in 2020, this instrument is now being implemented by 189 states. The Session opened on Monday 15 October, addressed by United Nations Office on Drugs and Crime (UNODC) Executive Director and Director-General of the United Nations Office in Vienna (UNOV), Yury Fedotov.

During the conference, nearly 40 side events were held covering various forms of transnational crime including terrorism, trafficking in persons, anti-corruption, cyber crime, and environmental and wildlife crime. The Side Event: Contemporary Enslavement and Trafficking of Women and Girls, brought together nine diverse speakers from civil society, academia, and agency, with Soroptimist International President-Elect Sharon Fisher as panellist. Raising awareness of contemporary enslavement and trafficking in persons, the event was expertly chaired by Ambassador Nazhat Shameem-Khan of Fiji. Demonstrating the extent of contemporary forms of slavery, the speakers shared stories, prevention methods, effective criminal justice responses, and theory, whilst encouraging the exchange of information and lessons learned.

Panellists

Silke Albert, Expert in Trafficking in Persons UNODC

Victimisation of women can be linked to inequality and lack of education. Albert suggested that sexual exploitation is the most common and gruesome form of trafficking and is frequently difficult to identify. She explained that when we view the sexual exploitation of women in this context, we are merely seeing detected cases – and this is very much the tip of the iceberg. Albert said that since the treaty was adopted in 2000 it has seen rapid succession and ratification – almost

universal; however, what is clear is that although countries have introduced laws in line with the protocol, conviction rates of traffickers remain low and this deserves a closer look. Albert informed us that there is, of course, the hope that the longer laws are in place, the more time countries will have to raise awareness of the issue and, from a criminal justice perspective, effectively address any gaps which will lead to an increase in convictions. Albert underlined the importance of the provision of services - victims have rights and this must be remembered. Speaking of evidential issues in cases of trafficking in persons, and additionally of the challenges surrounding exploitation, Albert described cases where exploitation does not take place at gunpoint, perhaps a victim is free to come and go or even say no – however, she stressed that there are many subtle means and ways to control, and that this complexity can often present challenges for criminal justice. Albert also described how victims may be viewed as violators of laws, or criminals, and how the modus operandi of migration can be seen to play into the hands of traffickers.

Jacqueline Larson, Senior Researcher with the Walk Free Foundation (Global Slavery Index)

The Walk Free Foundation believes that a strong multifaceted approach is needed to end modern slavery. The Walk Free Foundation's Global Slavery Index has developed world-leading research to measure the size and scale of modern slavery, as well as to assess country-level vulnerability and governmental responses. Together with the International Labour Organization (ILO) and the International Organization for Migration (IOM), the Walk Free Foundation developed the joint Global Estimates of Modern Slavery. Jacqueline Larson explained that contemporary slavery affects men, women and children - and can be defined when one person's freedom is denied by another. Speaking of the research findings, she maintained that women and girls are disproportionately represented and overrepresented in three of the four forms - and it is only trafficking for labour where this is not the case. Questioning the high proportion of women, she asked what makes them vulnerable? Distinguishing a link with broader patterns of discrimination and human rights abuses in the susceptibility of women, she

highlighted discrimination in education, employment, culture - each perpetuating the gendered nature of poverty – calling this a vicious cycle. Jacqueline spoke of the importance of tackling social norms and discrimination against women and migrant workers being critical, and the difficulty in this even when laws are in place. Slavery does not occur in isolation and cannot, therefore, be addressed in isolation, and she stressed an important link between patriarchy and contemporary forms of slavery, and the importance of having a special rapporteur.

**Dr. John Winterdyk, Professor of Criminology
Department of Mount Royal University, Canada**

Bringing gender balance to the panel, Dr. Winterdyk expressed an understanding that as with all legislation, the United Nations Convention on Transnational Crime and protocols was man-made and as such, well intended but with flaws, namely the 10-year negotiation process for the adoption of a review process. He noted there was no support from a Member State in the room. Dr. Winterdyk said the problem of trafficking is not going away, it is getting worse, naming it the fastest growing crime and arguably the second most profitable, depending on which sources you look at.

He spoke of the many variations of human trafficking and how they are expanding over time, saying where there were four or five categories a decade ago, now there are twenty-six. He said marginal successes are successes but urged us not to be complacent. Discussing relevant social science and criminology theories including conflict theory, human rights perspective and feminist approaches, he said that there was a need for a quasi - 'paradigm shift' in combating human trafficking and that its complexity demanded an integrated theory to help provide a complete and accurate explanation for the crime. He spoke of the 3, now 4 Ps: Prevention, Prosecution, Protection, and Partnerships, adding a further P to the mix with Participation, stressing we all must participate and mobilise. Discussing funding, he noted funding for human trafficking lags behind that of organised crime, and that 15 million doesn't go far, questioning the millions spent on prosecution and suggesting a new model - one that offered a social return on investment.

Sharon Fisher, President-Elect of Soroptimist International

“Can you imagine being born in a small rural village with little or no education, and living your life without learning to read or write your own name?” Fisher depicted the life of a young girl, with her future laid out in front of her - early marriage, unpaid care work, and then an opportunity presents itself that promises travel, money and a future for herself and her family. This girl becomes a 'commodity', her human rights removed, she is simply a means of feeding supply for the traffickers, a means of keeping their heinous and highly profitable ventures alive. Fisher introduced Soroptimist International (SI) and spoke of the 'Educate to Lead' 2015-2017, SI President's Appeal (an appeal that reaches globally, engaging 75,000 Soroptimists around the world), and its work in Nepal. Here is a country where 50% of the population in rural locations earn less than \$1.25 a day, as such it is a ripe hunting ground for traffickers, assisted by the 'open border' between Nepal and India. Fisher spoke of the 20 projects established in Nepal under 'Educate to Lead' - projects that focused on menstrual hygiene; awareness raising; literacy and vocational training; teacher training; survivor support programmes - effectively removing the barriers for thousands of women and girls and addressing a root cause of trafficking - poverty.

Dr. Karin Bruckmüller, Project Manager of the Johannes Kepler University Linz (Austria) & Ludwig Maximilian University, Munich (Germany)

Dr. Bruckmüller discussed the limitations of the usual approach to awareness raising around trafficking when it comes to war areas, and the difficulty in reaching possible victims of trafficking in human beings (THB) - especially women and girls. Looking at shifts in the recruiting patterns of traffickers from home countries, to on route and in destination countries, she spoke of recruitment taking place for the purpose especially of sexual or labour exploitation, and the risk faced by those awaiting decisions on asylum, and others in refugee camps. Underlining the blurred line between the smuggling of people and trafficking, she emphasised a need for migrants and refugees to be sensitised to the dangers and signs of THB, and the importance of awareness raising in destination countries and along migration routes. Dr. Bruckmüller suggested that teachers, heads of refugee accommodations, aid agencies, NGOs and others involved in refugee support

work, could deliver education. The programmes should take care to ensure a balance between a feeling of safety for the refugees in the destination countries and awareness of human trafficking risks.

Professor Jackie Jones, Professor of Feminist Legal Studies Bristol Law School, Soroptimist

Professor Jones spoke on human trafficking for the purpose of sexual exploitation, as a weapon of Violence Against Women & Girls (VAWG), stating that these are crimes targeting women and girls, because they are women and girls. Connecting this to a gender-unequal society, she said that patriarchy was very much alive and flourishing and underlined the direct link between non-discrimination and ending violence. Looking at theoretical models, Professor Jones proposed the need for a more victim-led approach. Naming environments where VAWG takes place such as schools and institutions; homes and communities, Professor Jones explored the various forms of sexual exploitation including window prostitution; pornography; online cyber violence.

Seeing the need for a unified, holistic approach to tackling human trafficking for sexual exploitation, Professor Jones determined that root causes needed to be targeted, in political, economic, social and cultural spheres, whilst effective strategies to help individuals leave the exploitative situations and remain safe must be made a priority. Recommendations for renewed efforts included establishing policies to prevent and combat trafficking and protect the victims of trafficking from re-victimisation; taking further steps to alleviate the factors that make persons vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunities, whilst adopting and/or strengthening legislative or other measures to discourage the demand that fosters all forms of exploitation of persons that leads to trafficking. Professor Jones presented the Nordic Model which is considered part of the state's obligation in relation to one of the four Ps: Prevention and commended the Group of Experts on Action against Trafficking in Human Beings (GRETA) for its ongoing work.

Katie Klaffenböck, Counter Trafficking Focal Point International Organization for Migration Country Office for Austria

Although the event focused specifically on the contemporary enslavement of women, Klaffenböck made clear that this is a crime that is directed at both women and men. Calling for an understanding of trafficking within the context of conflict, she named Libya as an origin and transit country for migration, explaining the inordinate risk and vulnerability faced not only by those on the move but by local populations, with conflict exacerbating vulnerabilities. In Libya, there are very few mechanisms in place – very little rule of law; men, women and children can be faced with kidnap, sexual slavery, labour and this can easily cross over into situations of trafficking. Detention centres present added complications and opportunities for exploitation, and she called for a need for partners, NGOs and local agencies to identify vulnerable individuals – emphasising a lack of protection facilities currently in place. Speaking of the long term, there is a need for not just humanitarian aid but for ongoing strategies. Ambassador Nazhat Shameem-Khan thanked her for her presentation and for reminding us of the intersectionality of vulnerability.

Dr. Behnaz Hosseini, Research Fellow University of Alberta, Canada

Dr. Hosseini spoke of the popularity of 'temporary pleasure' marriages with the objective of exploring the causes and identifying potential solutions to child and forced marriage in Iran, Iraq, and Afghanistan. Dr. Hosseini says: "Forced marriage is an oppressive tradition that came to light after the 1979 revolution in Iran and is justified under the name of religion, cultural beliefs, economic and political problems. This inhuman phenomenon, whose primary victims are girls, is carried out in Iran with the complete backing of the clerical government's leaders due to the misogynist laws they have introduced. In many cases, girls are actually sold to resolve the family's financial problems. At the same time human trafficking networks, which are in contact with the Islamic government, are actually profiting from the mullahs' misogynist laws to traffic and sell Iranian girls." Ambassador Nazhat Shameem-Khan thanked her for her presentation and said it was a really poignant example of how cultural practices mask inequalities and create high risk.

Jeanne Sarson and Linda MacDonald, Independent scholars and human rights defenders

Jeanne Sarson and Linda MacDonald discussed Family-Based Non-State Torture, Human Trafficking, Captivity and Enslavement. Describing the forms of state and specifically, non-state torture (NST), torture committed in the private or domestic sphere, be this by parents, neighbours, trusted adults, human traffickers or pornographers, in various public and private places. They shared emotive stories of survivors they have collated from around the world, detailing the significance of the issue and the powerlessness of those who suffer. Sarson and MacDonald explained that few countries have enacted laws addressing this form of torture, and how their activism involves working to have non-State torture named as a human rights crime, whilst supporting the healing of victimized persons, to end social exclusion, discrimination and stigmatisation, towards an eventual prevention of NST. Educational resources and questionnaires can be found at www.nonstatetorture.org.



NEW ASPECTS AND FORMS OF HUMAN TRAFFICKING (FOLLOWED BY SLAVERY) PROVOKED BY THE SO-CALLED REFUGEE CRISIS

Karin Bruckmüller, Ludwig-Maximilians-University, Munich, and Johannes Kepler University Linz

October 2018

Discussion on migration and organised crime focusing – particularly during and after the so-called refugee crisis – on smuggling of people.

Refugees: victims of human trafficking

Human trafficking and enslavement must not be overlooked in this context. Not only smuggling but also trafficking in human beings has reached new dimensions since the beginning of the mass movement of refugees. More and more refugees – as the data show – end up in the hands of human traffickers and in exploitation situations.

Particularly affected are women and (unaccompanied) children. Europol has said that at least 10,000 refugee children are missing in Europe, assumed to have been victimized by human traffickers and now living in exploitative situations in Europe and the USA.¹ More shocking information was unearthed by IOM, namely, that thousands of male refugees were sold on the slave markets after being brought to Libya by smugglers.² And there are a high number of unreported cases, because of the usual problems of identifying a victim of human trafficking.

New aspect of THB arise

In this mass refugee situation with an increase in victims of trafficking in human beings (THB) new aspects of trafficking in human beings have arisen (especially in Europe). We should learn from this situation and react to it in action plans and legal frameworks:

¹ Townsend, 10,000 refugee children are missing, says Europol, The Observer, 30.01.2016; Merriman, The Inquiry, BBC World Service, 20.10.2016; see also: <https://www.theguardian.com/world/2016/may/19/human-traffickers-using-migration-crisis-to-force-more-people-into-slavery>.

² <https://www.iom.int/news/iom-learns-slave-market-conditions-endangering-migrants-north-africa>.

Shift of recruitment location: From home- to transit- and destination countries

Usually, human traffickers recruit (possible) victims in their home countries. Nowadays, traffickers find and exploit their victims during their migration³ and/or in the migrants' destination countries while waiting for the decision on asylum.⁴

Previously, most European countries were purely destination countries. The tense situation in refugee camps and homes helps the traffickers to convince and recruit victims. As we now know: especially women were hired for sexual and labor exploitation in their refugee accommodation. This has been detected inter alia in Germany⁵ and Austria⁶.

Awareness raising for refugees – new approaches

The usual prevention approach programs including awareness raising, typically in the home countries of trafficking victims, does not help in a mass refugee situation. In war areas, it is not possible to establish awareness raising campaigns which are effective enough to reach possible victims. That's why refugees, particularly unaccompanied children, are not aware of the possibility of ending up enslaved in the hands

³ IOM, Analysis: Flow Monitoring Surveys. The Human Trafficking and Other Exploitative Practices Prevalence Indication Survey and Mixes Migration Flows in the Mediterranean and Beyond. Flow Monitoring Data Analysis, 2017; http://migration.iom.int/docs/Analysis_Flow_Monitoring_and_Human_Trafficking_Surveys_in_the_Mediterranean_and_Beyond_26_April_2017.pdf

⁴ <http://www.spiegel.de/panorama/gesellschaft/bayern-fluechtlinge-werden-zu-prostitution-gezwungen-a-1028961.html>; KOK, Policy Paper (to Human Trafficking and Escape), 2017, p. 12: https://www.kok-gegenmenschenhandel.de/fileadmin/user_upload/medien/Projekte/KOK_PolicyPaper_2017_WEB.pdf. See also the statement of P. Werner (special representative for THB at BAMF Munich in the article of the Sueddeutsche Zeitung 22.8.2017: <https://www.sueddeutsche.de/leben/menschenhandel-passt-gut-auf-eure-tochter-auf-1.3635263-3>.

⁵ See FN 6.

⁶ Results of interviews with practitioners (in Austria) conducted in the project mentioned in FN 1.

of human traffickers both en route and in destination countries.⁷

Hence, authorities in the transit and destinations countries should be aware of human trafficking, and the refugees themselves should be sensitised to this topic. Awareness raising campaigns for migrants have to be made especially on migration routes and in refugee camps in transit and refugees' homes in destination countries.⁸

In the destination countries, especially managers of refugee accommodation, teachers in schools, and others involved in refugee support work should also be notified. The programmes should take care to ensure a balance between a feeling of safety for the refugees and the awareness of human trafficking risks. Instructors and translators have to use careful and adequate – not fear-inducing – words.

On the routes: NGOs especially should offer such preventative awareness raising projects. The refugees should be sensitised to Human Trafficking but also to the differences of THB and smuggling. The problem is that the line between smuggling and human trafficking is completely blurred in practice, Whereas refugees want to be smuggled; they do not want to come into the hands of traffickers. However, refugees are barely able to distinguish smugglers from traffickers. Refugees may think that they are being transported by smugglers when, in reality, they are already victims of traffickers.

Identification process – new approaches

It is also important to change interview-guidelines for victim identification in adequate ways; the questions concerning the recruitment process should consider the possibility of the recruitment on the way, and in the country, where the people are asking for asylum.

⁷ Results of interviews with practitioners and refugees (in Austria and Germany) conducted in the project mentioned in FN 1.

⁸ In Austria staff members of the Federal Criminal Police Office (Bundeskriminalamt) go to refugee homes and support offices to inform (especially unaccompanied young) people about the risks of THB. See i.a. the article of *Balomiri et al* in *Der Standard*, 30.7.2018: <https://derstandard.at/2000084369155/Verraten-und-verkauft-Zum-internationalen-Tag-gegen-Menschenhandel#>.

New Form of THB “Handling over” and “Selling”

This mixing of smuggling and human trafficking has brought up another aspect – a new “type” of human trafficking. Smugglers hand migrants directly over to the traffickers, who sell them on slavery markets to exploiters. We know this to be true for male victims, but we assume this is also true for female ones. In some cases, the smugglers do not know that the next person down the chain is a trafficker; they assume it is the next smuggler. Such cases do not include the usual human trafficking ‘transportation chain’. This ‘handling over’ as well as the ‘taking over’ of the victim without explaining anything and without intent is – according to much national legislations – not punishable.

Also, the action of ‘selling’ the person has an outstanding ‘punishable weight’. ‘Selling’ is no longer a usual part of the transport scenario; it is more than a “transfer”⁹. From the victim’s perspective it is a very deep violation of their human dignity and rights.

Lack in (inter)national legal frameworks – adaption of wording: For such cases a lack in international and in (some) national legal frameworks has to be noted. The international and/or national frameworks have to be adjusted by new means (e.g. taking ‘possession’ of a person). Also, the element ‘selling’ has to be involved in the international and national legal binding law acts, even with a higher sentence (inter alia as an aggravating grounds).

Conclusions

1. New practical approaches in matters of awareness raising have to be established (refugees especially should be aware of the phenomenon of human trafficking and the differences between THB and smuggling).
2. Identification processes have to be adjusted to the new circumstances in the transit- and destination countries.
3. These aspects have to be incorporated into international and national action plans.
4. In international or national legal frameworks, the acts and means have to be adapted to enable the punishment of new types of trafficking.

⁹ According to international and national legal frameworks, the acts are: recruitment, transport, transfer, harbouring, and receipt of person (see especially Art 3(a) of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime).

A QUASI-PARADIGM SHIFT IN COMBATting HUMAN TRAFFICKING: THE NEED FOR AN INTEGRATED THEORETICAL PERSPECTIVE

John Winterdyk, Professor at the Department of Economics, Justice, and Policy Studies, Mount Royal University, Calgary, Canada

“And so our message today, to them, is to the millions around the world – we see you. We hear you. We insist on your dignity. Our fight against human trafficking is one of the great human rights causes of our time, and the United States will continue to lead it.”¹

B. Obama, “Remarks by the President to the Clinton Global Initiative” Sheraton New York Hotel & Towers, New York, 25th September 2012

Introduction

In this article, we will first provide a brief overview of the evolution of human trafficking and contemporary slavery. This will be followed by a summary of some of the main theories and models used to explain and upon which most response models-mechanisms are based. Then, the article will briefly discuss why, although well-intended, that the prevailing theories and perspectives may not be sufficient nor effective to combat modern-day human trafficking or contemporary slavery. The article will conclude with a call for a paradigm shift that appeals to an integrated theoretical model that can better address the complexity and dynamic nature of human trafficking.

Human trafficking contextualized

Trafficking in persons (TIP) and contemporary slavery² are topical and yet controversial issues even today, and beyond a doubt, they are a significant concern of the international community. Sometimes also referred to as modern-day slavery (see Bales & Cornell, 2008),³ next to prostitution, it is one of the oldest forms of human exploitation as well as being a ubiquitous crime

in nature. For example, evidence of the existence and practice of slavery dates back to c1720 BC, and it is even referenced in the Code of Hammurabi. Furthermore, there is various biblical⁴ references to slavery that was a customary practice in ancient times. However, in earlier times being a slave was considered to be an honourable profession and even today in some parts of the world debt bondage is considered a normative practice (see, e.g. Kara, 2012).⁵

Although slavery was abolished in a number of European countries starting in 1807 (e.g. United Kingdom and Germany) and a few years later in Canada (in 1834) and in the United States in 1865, according to the Global Slavery Index there are still a handful of countries where slavery can be found (e.g. Bangladesh, India, Mauritania, China, North Korea, and Libya). As recently as 2016, CNN Investigation showed footage of slave auctions in Libya. However, as can be seen in Figure 1, the countries openly practicing slavery has dramatically decreased. However, as various organizations have reported, human trafficking has been increasing with estimates ranging from 40.3 million (the ILO) in 2016 to 45.6 million people being enslaved in 2016 according to the Australian based Walk Free Foundation. Although a significant gap, the estimates are alarming when we realize that women and girls account for the majority of these victims.

Starting in the early 1900s, we began to see a series of international legal efforts to bring slavery to an end. The early legislative measures focused exclusively on the sexual exploitation of women who had been forcibly transported to facilitate their exploitation. One of the first such legislation was the International Convention for the Suppression of the White Slave Traffic in 1910. The agreement was one of the first multilateral treaties to address TIP and slavery. This was followed by another international legal initiative designed to address the sexual exploitation of women. The legislation is known as the International Slavery

1 B. Obama, “Remarks by the President to the Clinton Global Initiative” Sheraton New York Hotel & Towers, New York, 25th September 2012, found at www.whitehouse.gov/the-press-office/09/25/remarks-president-clinton-global-initiative

2 See A. Bunting & J. Quirk (2018). Contemporary slavery: Popular rhetoric and political practice. Vancouver, BC: The University of British Columbia Press.

3 The NGO group “Free the Slaves” is part of the American based international organization Anti-Slavery International.
K. Bales & B. Cornell (2008). Slavery today. Toronto, ON Groundwood Books.

4 Reference to slavery in the Bible can be found in Exodus 21, Deuteronomy 15, and Leviticus 25.

5 S. Kara (2012). Bonding labor: Tacking the system of slavery in South Asia. New York: Columbia University Press.

Convention and the UN International Convention for the Suppression of the Traffic in Women and Girls in 1921. Then in 1949, there was the Exploitation of the Prostitution of Others which acknowledging that trafficking did not need always to involve transportation across the international border. The Convention also used language that was gender neutral.

After the initial flurry of international conventions, it took until late 1990 were when the international community took noticed that while many countries had abolished slavery, it was still widely practiced and that its primary victims were women and children (particularly girls). Women and children tend to be the most vulnerable sector of society because of the dominant patriarchal system (or neoliberalism as some describe its current expression – the idea that competition is the only legitimate organizing value in today’s market) and their voice – especially children – is often ignored or given token acknowledgment (see Sustainable development goals, 2016).⁶ Furthermore, according to Kristina Kangaspunta (2010)⁷, after the practice of transatlantic slavery was abolished, the term ‘white slavery’ was used to describe the practice of forcefully and illegally recruiting white women or girls and sexually exploiting them and it also laid the foundation for widespread use of the criminal justice system to respond and suppress such activities. According to Bales and Cornell (2008)⁸ the resurgence of awareness about trafficking and efforts to control it started around 1945. The period coincided with a rapid increase in the world’s population (see Figure 2), substantial economic changes, a growing gap between the rich and the poor (see, e.g. Gini coefficient for countries -- <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2172rank.html>), the most impoverished regions and vulnerable sectors (i.e. women and children) began to experience dramatic increases in human trafficking. The situation was further compounded by the increased number of wars, political conflicts, and global corruption represented risk factors for the expansion of human

6 See <https://www.un.org/sustainabledevelopment/blog/2016/12/report-majority-of-trafficking-victims-are-women-and-girls-one-third-children/>

7 K. Kangaspunta (2010). “A Short History of Trafficking in Persons.” Freedom From Fear. Retrieved from http://www.freedomfromfearmagazine.org/index.php?option=com_content&view=article&id=99:a-short-history-of-trafficking-in-persons&catid=37:issue-1&Itemid=159

8 Cited in footnote 3 above

trafficking (see, generally, Winterdyk et al., 2012).⁹

As the resurgent awareness about slavery and the more nuanced term of ‘human trafficking’ was used, the more recent legislation shifted its focus and orientation to addressing the fundamental human rights and concern of its’ victims. Therefore, it is not surprising that the new political declarations concerning combatting human trafficking focus strongly on the plight of victims to highlight the impetus for intervention. The general guiding principles were initially divided into three pillars – referred to as the 3Ps – prosecution, protection, and prevention. These principles are outlined in the 2000 Palermo Protocol (ratified in September 2003). However, as Jordon (2002), Haynes (2004), among others, have noted, prosecution (i.e. criminal justice response) received the most significant emphasis. Eventually, in 2009 a 4th P was introduced (i.e. promotion) and it triggered some additional response mechanisms and expanded the range of theories and explanatory models upon which to premise different response mechanisms.

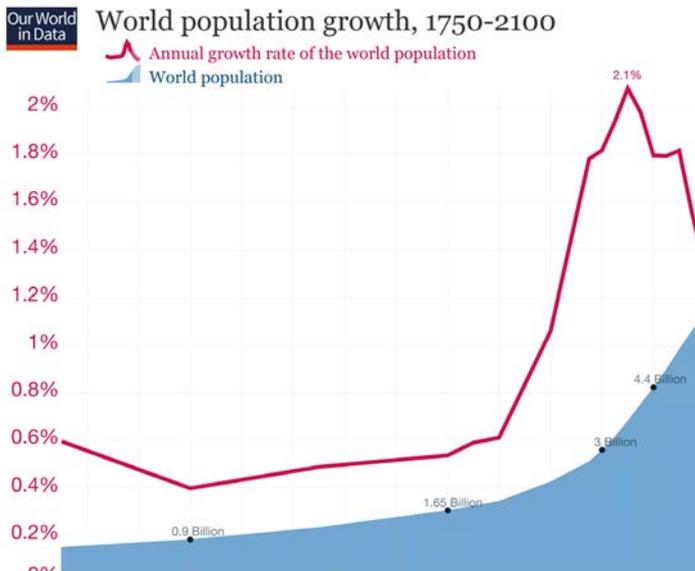
Primary Theories and Explanations that inform response protocols

Today, as the level of awareness about human trafficking has reached heightened attention, there are now several established theories and explanatory models used to both explain and inform response models mechanisms to this multidimensional crime. As Kaker (2017)¹⁰ points out, a theoretical framework “is an essential element for understanding human trafficking and developing effective strategies for reducing and preventing it [human trafficking] from perpetuating” (p. 100). Given the limited word count for entries in this journal, however, only the main points of each theory and explanatory model will be presented. Besides, while they are not exclusive, nor exhaustive, the main theories and explanatory models are summarized in Figure 2 (see Winterdyk, forthcoming for further elaboration).¹¹

9 J. Winterdyk, B. Perrin, & P. Reichel (eds.) (2012). Human trafficking: Exploring the international nature, concerns, and complexities. Boca Raton, FL.: CRC Press.

10 S. Kakar (2017). Human trafficking. Durham, NC: Carolina Academic Press.

11 J. Winterdyk (forthcoming). Explaining human trafficking. A Major Reference Work. In J. Winterdyk & J. Jones (eds.), Human Trafficking. London, UK: Palgrave.



Source: <http://www.worldometers.info/world-population/>



Figure 1.
Source: Gapminder 2018. Retrieved from <https://www.gapminder.org/data/documentation/legal-slavery/>

In addition to the range of theories and explanatory models, it should be noted that the exceedingly broad definition of trafficking in international law along with the diverse range of theories and explanatory models, is indicative of the fact that the phenomenon itself is incredibly diverse, varied, and complex.

For example, while many people tend to think of human trafficking as involving the illegal transportation of victims from some foreign country, there is now a well-established body of evidence that shows domestic trafficking is in some cases more prevalent in some regions than in others (see, e.g. Hanna, 2002).¹²

Although an effort has been to provide intuitive, descriptive names for the different theories and explanatory models, they can be grouped into three broad categories: 1) inequality, 2) institutional, and 3) structural factors. However, other scholars such as Kakar (2016) use ...categories (i.e. globalization, process, and theories of victimization), while Lutya and Lanier and Lanier (2012)¹³ divide the range of theories and explanatory models into two categories (i.e. rational choice & demand theory).

So, just as the term of human trafficking itself, there is no uniform set of criteria or factors used in the literature. As summarized, in Figure 2 the groupings, although based on the related literature, are subject to interpretation and critical discourse. However, this too is well beyond the scope and intention of this article.

¹² C. Hanna (2002). Somebody's Daughter: The Domestic Trafficking of Girls for the Commercial Sex Industry and the Power of Love, 9 Wm. & Mary J. Women & L. 1, <http://scholarship.law.wm.edu/wmjowl/vol9/iss1/2>

¹³ T.M. Lutya & M. Lanier (2012). An integrated theoretical framework to describe human trafficking of young women and girls for involuntary prostitution. Public Health – Social and Behavioral Health, Ch. 27, pp. 555-570.

THEORY-EXPLANATION	CHARACTERISTICS/ELEMENTS	PRIMARY RESPONSE MECHANISM ¹⁴
Person-focused (3) ¹⁵	Offender/trafficker or their victim	Prosecution, Protection
Spatial focus – the ‘push-pull’ factors (1)	Origin, transition and transition, destination	Prevention, Participation
Other considerations – structural factors (3)	Globalization, corruption, organized crime, legal loopholes, and modern technology	Prosecution, Partnership
Macro-level – inequality (1)	Cultural, economic, political, social, transitional, migration patterns and social dynamics	Prevention, Prosecution
Conflict theory (2)	Socio-economic inequality, the process of „othering“	Prevention
Human rights perspective (1 & 3)	Address the root causes and humanize the issue (Galleger, 2009)	Prosecution, Partnership
Feminist rights-based approach (1)	Importance of human rights equally for all gender and sexual orientation	Protection, Prosecution
Institutional factors (2)	Government policies and national laws	Prosecution, Partnership

Figure 2. Leading theories and explanation of human trafficking

Constructive reflection of Figure 2 will prompt some to rightfully point out that not all the theories or explanatory models are mutually exclusive. For example, institutional factors such as government policies and national laws can also be characterized as macro-level inequality factors; while person focused models align closely with human rights perspectives. Although only a summary of the theories and explanatory models, Figure 2 serves to show the expounding factors are both varied and complex, and perhaps, more importantly, they support different response modalities – even though there is a preponderance towards a criminal justice approach. The article will now briefly summarize some of the response mechanisms that are informed by different factors or theoretical perspectives.

Responding to human trafficking and contemporary slavery

“first do no harm” (primum non nocere) from the Hippocratic oath

¹⁴ Although based on a review of the literature, the response mechanism is subject to debate as they are neither absolute. debate as they are neither absolute.

¹⁵ (1) = inequality factors; (2) = institutional factors, & (3) = structural factors.

A crime of virtually any kind is a threat to public safety, and it undermines the potential for the maintenance of civil society. Therefore, and dating back to ancient times, States formalized (i.e. laws) behaviours considered wrong to deter people from engaging in an anti-social activity. However, for a myriad of reasons, people have and continue to transgress the law, thus requiring States to exact punishments (i.e. set examples) – not dissimilar from faith-based religions which call for some penance for disobeying faith-based doctrines. In 1979, the British criminologist Jason Ditton¹⁶ coined the term “controlology” to depict the rationale behind maintaining law-and-order more accurately.

The different theories and explanatory models each call for different response mechanisms, protocols, or ‘solutions’ to crime control (i.e. controlology) (see Figure 2 above). For example, the conflict and ‘otherness’ model calls for the need to address engender exploitation of vulnerable populations and the disparities of victims. Meanwhile, the feminist and human rights perspectives advocate that the roots sources of exploitation lie in the gender-bias that exist broadly throughout society and often within the criminal justice system itself (see, e.g. Lobasz, 2019).¹⁷

¹⁶ J. Ditton (1979). Controlology: Beyond the new criminology. London, UK: The MacMillan Press Ltd.

¹⁷ J.K. Lobasz (2019). Constructing Human Trafficking: Evangelicals, Feminists, and an Unexpected Alliance. London, UK: Palgrave MacMillan.

While each of the theories and explanatory models has merit, they all suffer from old cultural entrenchment, systemic discrimination, the targeting, or discrimination of poverty, as well as the blocking of access to justice (see, e.g. Kragten-Heerdink et al., 2017).¹⁸ Hence, the problem of human trafficking not only continues but it appears to be growing and diversifying. For example, in their 2017 report, the American based NGO Polaris identify some 26 different forms of human trafficking (see <https://polarisproject.org/typology>). Kara¹⁹ suggests that the failure of current efforts lies within the domain of poor or inadequate laws and an ineffectual criminal justice system in general. Similarly, Bunting and Quirk²⁰ argue that despite a wide range of well-intentioned efforts, efforts to combat TIP are often sensationalistic, self-serving, and superficial in scope and dedicated resources.

A call for a ‘paradigm’ shift: The need for an integrated approach

There is a growing body of scientific literature in criminology along with several of the other social sciences that argue that discrete theories or explanatory models are not satisfactory to control or to prevent crimes from happening. Human trafficking is too complex and nuanced to be to use linear logic-based theories or explanatory models. Given the relative failure of our predominately criminal justice response to human trafficking and the seemingly endless array of challenges to provide either protection and/or support for victims/survivors of trafficking, it is perhaps time that we engage in a ‘paradigm shift’ that would embrace an integrated and/or interdisciplinary perspective. One model that has been suggested and which aligns with the growing emphasis on protection and human rights is a public health model. In so doing, the model would ensure that human trafficking is chiefly a security concern, but the model would shift its focus from prosecuting perpetrators to protecting

victims (George et al., 2010; Fedina & DeForge, 2017).²¹ A public health framework could not only address some of the shortcomings of the current array of response mechanism but by focusing on harm reduction strategies, this should result in a better outcome for the victims of trafficking.

Meanwhile, Luty and Lanier²² call for a more generic integrated theoretical framework. They argue that in order to account for the diverse range of factors, most of which are included in Figure 2 above, an integrated theoretical model should include such variables as decision making, recruitment, transportation, exploitation, harboring and transfer, and loss and pain. They conclude by positing that such a framework could better inform prevention, prosecution of suspects, and protection of victims.

It is not possible within the context of this article to expound on an exact integrated model but future research and inquiry into how best to construct a viable integrated model that will not only have robust explanatory power but will also translate to cost-effective and efficient response mechanisms. For example, future integrated models should explore whether propositional integration, up-and-down integration, side-by-side, or a conceptual integration model (see, e.g. Krohn & Eassey, 2014)²³ can best account for the widely accepted factors identified above.

Finally, at the 9th sessions of the Conference of the Parties to the United Nations Convention against Transnational Organised Crime, on the final day of the meetings, the member states finally agreed (after some 10 years of debate) to create a review mechanism that will (it is anticipated/hoped) assess the relative merit of the response mechanisms used to combat TIP. It is with anticipation that we wait to see if the review mechanism will include an integrated and multidisciplinary framework.

18 S.L.J. Kragten-Heerdink, C.E. Dettmeijer-Vermeulen, & D.J. Korf (2017). More than just “pushing and pulling”: conceptualizing identified human trafficking in the Netherlands, *Crime & Delinquency*, pp. 1-25.

19 Cited footnote 5 above

20 Cited footnote 2 above

21 A. George, U. Vindhya, & S. Ray (2010). Sex trafficking and sex work: Definitions, debates and dynamics – A review of the literature. *Economic and Political Weekly*, 45(17): 64-73. L. Fedina & B.R. DeForge (2017). Estimating the trafficked population: Public-health research methodologies may be the answer. *Journal of Human Trafficking*, 3(1): 21-38.

22 Cited footnote 13 above

23 M.D. Krohn & J.M. Eassey (2014). Integrated theories of crime. Retrieved from <https://onlinelibrary.wiley.com/doi/full/10.1002/9781118517390.wbetc028>

PART IV

Further Reading

ANGELA ME OF THE UNODC: FOCUSING ON THE PERPETRATOR IS KEY IN THE FIGHT AGAINST FEMICIDE

Interviewed by Helen Hemblade, FEMICIDE Team

March 2019

Angela Me is Chief of the Research and Trend Analysis Branch at UNODC and has been working at the UN for over 20 years. She holds a Phd in statistics from the University of Padua, Italy, and before joining the UNODC, she worked for several years in the UN Statistics Division and the UN Commission for Europe. Me has authored and overseen numerous publications on a range of topics from population, gender, disability, migration to drugs and crime.

Hemblade: What are the main challenges in collecting data on the killing of women and girls? And how does this translate to being able to analyse trends on a global level?

Me: There are two main challenges: first is the capacity of the recording in general; some countries are lacking behind in terms of the structure that they have in place to record crimes. Sometimes it's just manual reporting and by the time this arrives to a centralized national level, the information gets lost or is not precise. In rural or remote areas of some counties, crime is simply not reported and not recorded. In other countries, the killing of women is not reported or recorded because this is not considered a crime.

The second challenge is that even when you have a system in place for recording a crime, you may not have enough specification and granularity to distinguish the type of homicide. How many people are killed and with which method is not sufficient to understand the type of violence that caused the homicide and how to prevent it. To try to understand the way homicide affects women, it is important to have data disaggregated not only by the sex of victims and the age but also by the perpetrator, the reason and the context. Although we know that the majority of women are killed by their partners or family members, we need to have a precise picture. Another challenge is comparability because each country may define different disaggregating variables.

For example, some countries in Latin America have established femicide as a specific offence but data based on this is not comparable; what is defined as femicide in one country is not the same as a femicide in another country. So when you try to put together the data for regional and global analysis, there is an issue of comparability.

Hemblade: Why is the International Classification of Crime important?

Me: This links well with how we can address the above challenges. The classification is a tool that can help each country to work with the granularity that I was talking about earlier. The classification gives a framework that qualifies and disaggregates the crime in a way that can help in understanding the reasons behind it. This is very important because it helps to isolate the crime, for example, committed by a partner, family member in the context of a gender bias. The framework also helps with comparability. If all countries adopt the classification, we can definitely put together solid, comparable figures at a regional and global level.

Hemblade: In UNODC's new global homicide report on the gender-related killing of women and girls, there is a chapter on perpetrators. Why was it important to include this?

Me: It is important to prevent the crime. There's been a lot of advancement in terms of research on violence against women (VAW), which is very much welcome. Twenty years ago when the international community started discussing the mandate on VAW data and statistics, many countries used to say that this was not an area for official statistics. We've come a long way and today many countries have embedded VAW surveys in their national statistical systems. This is great, but I think that now we need to move to the next step and enhance research and data collection to understand men who are perpetrators of violence. In order to understand what is behind the drivers of killing a partner or a daughter, we need to work with men.

There's no other way. I think women have done a lot in terms of empowering themselves through hard work and sacrifices. But empowering yourself in a culture where nobody wants you to do so is very difficult. To create better enabling environments, we need to work with men, because it is only with them that we can have sustainable changes.

We need to undertake research to understand what are the impediments for eliminating VAW and enabling female empowerment.

Hemblade: Do you have any research on perpetrator prevention programmes?

Me: When producing the report on gender related killings of women and girls, we tried to look at successful policies because we believed we had to provide the knowledge about the problem and also good practices to resolve the problem. But this undertaking proved to be quite difficult because we could not find many examples where scientific evidence could support the success of these kind of policies or programmes.

There's been very little progress in reducing the number of women killed by their partner or family member despite a lot of action from member states. Many member states have changed legislations or have created specific legislations on VAW, but the global number of killings has been stable if not increasing.

We now need to work in two streams. One with the long-term objective of changing cultural stereotypes, which requires working with boys and girls in school and family settings to break gender stereotypes. The objective is not give prescriptive cultural models for boys and girls but to promote the idea that male and female need equal opportunities to play the role they want to play in the society without impositions on pre-defined roles.

In the short term, we need to work to protect the women who are at risk of violence and to make sure that there's no impunity. Progress has been made. In the past honour killings, for example, were tolerated by some criminal justice systems. We need to continue to make sure that the criminal justice has a proper response to the crime.

It's important to teach both boys and girls to look for signs of abuse in their own relationships and their friends' relationships so that they know how to intervene when it happens to them or people they know.

Women have paid a huge price in empowering themselves if you think of the many private and public battles. Women have defined different roles for themselves. But if we want to create a truly equal society, men need to go through the same transformation and establish an idea of manhood that rejects violence and the idea that men have to dominate on women. Much of the violence against women today is related to the dominant role that men play in society.

Hemblade: What are the major gaps in prevention and criminal justice of gender-related killings of females specifically in the context of intimate partner and family member victims?

Me: There are cultural gaps and weak prevention. Although many countries have made great efforts in protecting women providing, for example, shelters and phone lines in the last 20 years, it is not enough. Not enough is being done to give strength to women to leave violent relationships - that is the most difficult part. Women need to see this as a real option.

We need to help and empower women to first identify violent relationships, to understand what is healthy and acceptable. This should be done from a young age. In too many cases, women report violence to the authorities, even several times, but no action is taken. So it's also about training the criminal justice system and law enforcement to understand the critical issues and not to undermine the urgency and to act straight away.

Women need a "safe haven" - not dissimilar to the idea of refugees in conflict zones. We need to create a safe space for women so that they can leave a violent relationship with economic means, protection for the children and feeling that a different future is possible. Women are often in a difficult situation because they're not economically independent and because they are concerned for their children.

We must also acknowledge that this happens on a large scale and it isn't something that happens randomly. The killings of women by partners or family members often come after a long-term pattern of violence so these killings are preventable.

Hemblade: In the next ten years, what are you hoping to achieve in terms of collecting data?

Me: Well, first of all, I hope the UN can count on more and more countries to provide data on gender-related killings of women and girls. So hopefully in the next 10 years we have enough data to make more in depth comparisons on social economic factors and better understand how killings are carried out, the history of violence and the context of the relationship. Lastly, I hope that in 10 years we can have a global analysis that explain better men's behaviour and what drives them to become violent to the point of killing women.

You can find the UNODC Global Homicide Report 2018 here: https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18_Gender-related_killing_of_women_and_girls.pdf

SUGGESTED READING

Cyber Crimes Against Women

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Halder, Debarati and Jaishankar, Karuppannan. 2016. *Cyber Crimes against Women in India*. Thousand Oaks: SAGE.

Halder, Debarati. 2015. "Cyber Stalking Victimization of Women: Evaluating the Effectiveness of Current Laws in India from Restorative Justice and Therapeutic Jurisprudential Perspectives." *Temida*. Vol. 18(3-4), pp. 103-30.

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Femicide

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Morgan, Jenny and Simons, Margaret. 2018. "Changing Media Coverage of Violence Against Women: The role of individual cases and individual journalists". *Journalism Practice*. Vol. 12(9), pp. 1165-1182.

Tagliareni, Sonia. 29 May 2018. "Domestic Abuse, Sexual Violence and Substance Use". drugrehab.com.

Activism

ENOUGH – Together we can end violence against women and girls
www.sayenoughtoviolence.org

HeForShe – Join the global movement
www.heforshe.org/en

V-Day – A Memory, A Monologue, A Rant, A Prayer
www.vday.org

SUGGESTED VIEWING

A Dark Place: A SOFJO Documentary

OSCE

www.osce.org/representative-on-freedom-of-media/410423

Female Pleasure

Barbara Miller

www.femalepleasure.org

How online abuse of women has spiraled out of control

Ashley Judd

www.ted.com/talks/ashley_judd_how_online_abuse_of_women_has_spiraled_out_of_control

On her shoulders

Alexandria Bombach

www.onhershouldersfilm.com

Our story of rape and reconciliation

Thordis Elva and Tom Stranger

www.ted.com/talks/thordis_elva_tom_stranger_our_story_of_rape_and_reconciliation

We are man enough

Wayfarer

www.wearemanenough.com

A better man

Intervention Production

www.abettermanfilm.com

"There's been an awful lot of silence in male culture about this ongoing tragedy of men's violence against women and children... we need to break that silence, and we need more men to do that."

- Jackson Katz, Educator and Author, 2013 -

"Like all other forms of men's violence against women, femicide is often accepted as inevitable and normal. Yet each one of those women matters. They matter individually and collectively. We must mourn each and every one of the dead, and name their killers as terrorists in the war against women."

- Julie Bindel, Founder of Justice For Women, 2018 -

"The older woman is vulnerable to identify theft, cyber stalking, online sale of dubious products, fake "get rich schemes" and exploitative partnership offers, which can lead to bankruptcy and complete breakdowns."

- Michael Platzer, UN Studies Association, 2019 -

"Despite the relatively new and growing phenomenon of internet connectivity, it is estimated by the World Health Organization that one in ten women have already experienced a form of cyber violence since the age of 15."

- European Institute on Gender Equality (EIGE), 2019 -