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Online Violence Against Women and Girls



The Scenario in the MENA Region *An executive summary*

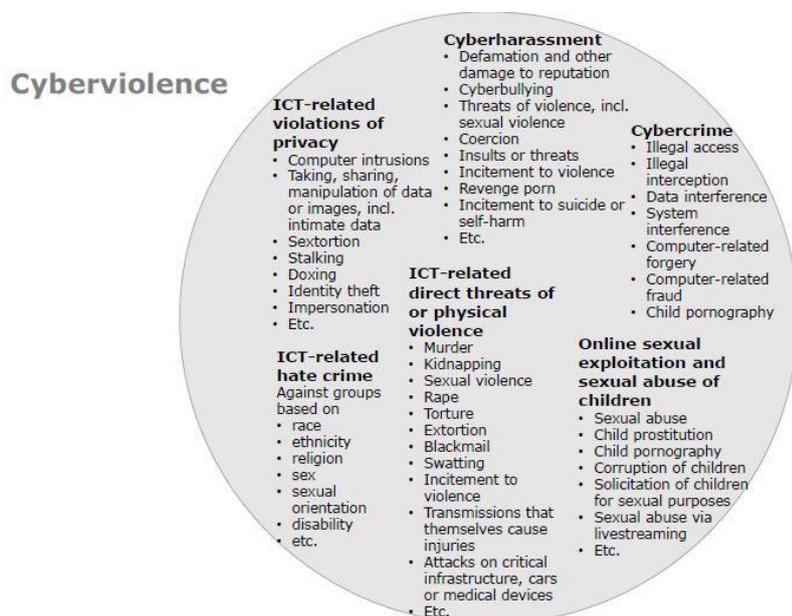
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All citations and quotations included in this text without apposite sources are excerpts from interviews which the author personally conducted with activists and women human rights defenders. The interviews were undertaken willingly, and the author has reported their content faithfully.

Executive summary



Source: Council of Europe (2018) 'Mapping study on cyberviolence (Draft)', <https://rm.coe.int/t-cy-2017-10-%20cbg-study/16808b72da>

Violence against women refers to harmful acts committed against individuals based on their gender; it is a global phenomenon and a violation of human rights.¹ Violence against women (VAW) is sometimes used synonymously with gender-based violence (GBV). Although the broader term of GBV includes violence against both men and women, its most common form is violence against women.² VAW is an overt expression of deeply rooted gender inequalities and gender-based discriminations that are inherent in societies globally. For this reason, among others, this study focuses on the hegemonic norms that facilitate (or obstruct adequate prevention of and protection from) online violence against women in the MENA region, rather than a broader study of all aspects of online gender-based violence. It will first provide general observations and commonalities relating to online gender-based violence in a number of countries in the MENA region, more specifically in the partner countries of the European Union's Southern Neighbourhood (excluding Israel and Libya); Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Syria, and Tunisia.

¹ UNESCWA, *Gender Based Violence*, <https://www.unescwa.org/our-work/gender-based-violence>

² Ibid.

After the provision of overall conclusions and observations, the second part of this report is dedicated to detailed case studies of each country, based on available data and first-hand experiences recounted during the author's interviews.

The report's focus is on *online* violence against women and girls: at present this is an area that is under researched and mistakenly considered as a phenomenon wholly separate to "real world" violence. With Internet access increasing across the globe, so too are incidents of online VAW, and it is increasingly important to shine a spotlight on this form of gender-based violence. In a report on the analysis of online violence and violence facilitated by information and communications technology (ICT),³ the Special Rapporteur on violence against women, Dubravka Šimonović, provides a valuable analytical framework to approach GBV from a human rights perspective. Although the phenomenon is quite new and is often described using varied terminology—'technology-facilitated violence', 'ICT-facilitated violence against women', 'cyber violence', 'online violence', 'digital violence', 'online violence against women' are currently used as synonyms—it is acknowledged that the prohibition of GBV must include careful attention to its perpetration in online spaces.⁴ In addition, the UN Human Rights Council resolution on the promotion, protection, and enjoyment of human rights on the Internet (2016) leaves no room for interpretation: the rights people have offline should also be protected online. This necessarily includes the right of women to be protected from online forms of gender-based violence.

One of the problems linked to work to address online VAW, is that in law, as well as in public discourse, it is often seen as separate to physical or bodily VAW. In reality, online VAW can be considered an extension of gender-based violence in the more traditionally understood sense:⁵ it is caused by, and perpetuates, the same social norms and structural discriminations as "offline" societies. According to a UN report,⁶ women are 27 times more likely than men to be harassed online, and 73 per cent of women have endured cyber violence. Furthermore, incidents of VAW can start online and result in physical violence, or the latter can be extended to the online space: a study of cyber stalking based on data from the UK, for example, found that over half (54 %) of the cases involved a first encounter in a real-world situation.⁷ Despite a lack of research that acknowledges this relationship, women's rights organisations⁸ report that there is a clear connection between online and offline VAW.⁹

³ Human Rights Council, *Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective*, <https://digitallibrary.un.org/record/1641160?ln=en>

⁴ CEDAW, *General Recommendation No. 35 on gender-based violence against women, updating General Recommendation No. 19* (2017), <https://www.ohchr.org/en/hrbodies/cedaw/pages/gr35.aspx>

⁵ European Parliament, *Cyber Violence and hate speech online against women* (2018), [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/604979/IPOL_STU\(2018\)604979_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/604979/IPOL_STU(2018)604979_EN.pdf)

⁶ Human Rights Council, *Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective*, https://www.ohchr.org/EN/HRBodies/HRC/.../Session38/.../A_HRC_38_47_EN.docx

⁷ European Institute for Gender Equality, *Cyber Violence Against Women and Girls* (2017), <https://eige.europa.eu/publications/cyber-violence-against-women-and-girls>

⁸ Association for Progressive Communications, *Online gender-based violence: A submission from the Association for Progressive Communications to the United Nations Special Rapporteur on violence against women, its causes and consequences*, (November 2017), https://www.apc.org/sites/default/files/APCSubmission_UNSR_VAW_GBV_0_0.pdf

⁹ Lewis et al., 'Online Abuse of Feminists as An Emerging form of Violence Against Women and Girls', *The British Journal of Criminology*, Volume 57, Issue 6, (Nov. 2017), <https://doi.org/10.1093/bjc/azw073>

The UN also recognises that cyber violence is as damaging to women as physical violence, making it clear that prevention of and protection from the former should have the same importance as the latter.¹⁰ However, one in five women Internet users live in countries where online VAW is unlikely to be punished, leaving victims of online VAW with little recourse to report incidents or hold perpetrators to account.

Since the digital space reverberates systemic gender-based discriminations, women human rights defenders, journalists, and politicians are especially susceptible to information and communications technology (ICT)-related violations linked with their engagement in the public sphere and their visibility online.¹¹ Moreover, intersecting identity factors may make marginalised women, such as trans women, women with disabilities or non-white women, an easy target for perpetrators due to an additional layer of ‘vulnerability’ that can be attacked online with behaviours amplified by anonymity and impunity.^{12/13}

This report aims to analyse the issue of violence against women in the digital space. There are clear reasons why increased research and focus on this issue are needed. As more regions and populations gain access to the Internet and social media, cyber violence against women and girls is becoming an increasingly serious concern at the global level. It is a fact that women, provided that they have access to the internet, are more likely to be harassed online than men. The phenomenon is worsened for specific categories of women which are particularly marginalised, such as LBT women.

Online VAW is a by-product of structural gender inequalities and discriminations which impact women’s and LGBTIQ+ persons’ lives, grows and adapts to new means of communication and information.

The forms of online VAW vary: cyber stalking, ‘revenge-porn’, gender-based slurs and harassment, slut-shaming, sextortion, death threats, doxing, and electronically enabled trafficking. At present, such acts severely undermine women’s enjoyment of human rights on the Internet and the fundamental freedom to engage in public debate.

This study focuses on eight countries in the MENA region - Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Syria, and Tunisia – with the inclusion of a case study on Turkey. This region is characterised by inadequate or conflicting legislation and deep patriarchal norms which affect the understanding of VAW in a social and legal framework and perpetuates the culture of impunity. The majority of women do not report online VAW and, when they do, they do not always receive adequate follow-up and support. In many cases, women are simply not aware of laws and procedures to report violence, or, if they do attempt to report incidents, are not taken seriously or accused of ‘provoking’ violent behaviours. Generally speaking, a lack of trust in the system and in the usefulness of reporting violence pervades all the countries.

¹⁰ UN Women, ‘Urgent action needed to combat online violence against women and girls, says new UN report’ (24 Sep. 2015), <https://www.unwomen.org/en/news/stories/2015/9/cyber-violence-report-press-release>

¹¹ Human rights Council, ‘Statement by UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein’ (21 Jun. 2018), <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23238&LangID=E>

¹² Lewis et al., ‘Online Abuse of Feminists as An Emerging form of Violence Against Women and Girls’, *The British Journal of Criminology*, Volume 57, Issue 6, (Nov. 2017), <https://doi.org/10.1093/bjc/azw073>

¹³ Some definitions and descriptions contained in international policy instruments can help us better understand the nature and extent of the issue and frame it in the broader context of GBV and online violence: see annex 1.

Moreover, there is a close link between online VAW and VAW offline across the countries analysed: victims of physical violence are frequently stalked or bullied online, and online violence can escalate into physical violence.

Although online VAW is a growing phenomenon in the region, it is a relatively new research area that has no standard definition or conceptualisation. Women with better access to the digital world, such as young, educated women seem to be more exposed to cyber violence, particularly on social media. In addition to this, intersecting identities and forms of discrimination can worsen online VAW and repercussions for victims. In that regard, women who are challenging rigid gender norms, such as LBT women, public women and unmarried women, face heightened risks of specific forms of online violence. In all countries analysed, men and the State are the main perpetrators of online violence.

However, more research is needed to determine the types of online violence for each victim profile, the sociological type of perpetrators of violence online, and the relative extent and impact of the issue across different social groups and ages.

Contextual differences can be observed across the countries, especially in those countries like Syria where online violence is closely connected to the conflict setting, or in Palestine where the occupation exacerbates the repercussions of VAW in the digital space. However, common trends can be identified to provide a basis for further research or to new action plans at the national, regional, EU, and global levels. The core common trends are the following:

A legal vacuum

Although most countries have ratified international conventions, such as CEDAW, there is no supremacy of international law over the national legal framework per se. At a domestic level, national legal provisions do not address violence against women in a comprehensive and consistent way. First, some countries do not have a stand-alone law to prevent and combat VAW (e.g. Egypt and Palestine). However, those who have adopted a law provide an incomplete definition of VAW—which often overlooks cyber violence and is limited to the family context—and/or protection measures that are difficult to access. Second, there is a lack of consistency between legal provisions and objectives/actions set in the national strategies to combat VAW, resulting in a disconnection between theory and actual implementation measures. Third, cyber issues are often circumscribed to cyber-crime or media laws, which are not designed to be gender sensitive. Fourth, there is no judicial coherence and effective prosecution relies on judges who are obliged to draw from different sources (e.g. domestic violence protection laws, penal codes and cyber-crime laws), in order to ensure protection of the victim and punishment of the abuser. In fact, there is not always harmonisation between criminal procedure and legal provisions, and between personal status laws and the other codes. Fifth, governments throughout the region seem to make use of laws with a different purpose than the one originally intended: cyber-crime laws and online hate speech provisions are often used to silence dissent and undermine freedom of expression (e.g. in Palestine, Jordan, Algeria, Morocco, Turkey and Egypt).

These five conditions create obstacles to accessing justice and contribute to instilling collective mistrust toward state agents.

An ill-defined role of IT intermediaries and social media

Most online attacks against women and LGBTIQ+ persons in the MENA region occur on social media. Such attacks may come from the State or individuals. IT companies and social media play a role in protecting users from content involving violence, such as hate speech, cyber-bullying, and violent extremism. Social media adapt their rules in each country and region and often rely on self-governance, but governments are increasingly keen on regulating social media platforms through ad hoc agreements or specific bills. In one respect this could be seen as a step forward: inadequate responses from social media administrators do not promptly remedy any situation of gender-based violence, suggesting that State governance is needed to ensure adequate protection and remedy. However, these agreements or bills often give the State the power to monitor online content and ask IT companies to remove ‘illegal’ content or block websites; this situation has serious implications for journalists, human rights defenders, and feminist groups in particular.

Widespread self-censorship and impunity for perpetrators

A common reaction to online VAW is self-censorship. Women and girls who are victims of violence do not to speak up and adopt do-it-yourself solutions because they are afraid of social/family judgement, do not know their rights or know too well that the legal framework in their country is inadequate to protect them and/or prosecute perpetrators of VAW.

The Internet as a space providing opportunity

Digital platforms and devices represent a unique opportunity for women and activists to reshape social norms, share alternative narratives, unite and empower women. The digital space represents a relatively free space in restricted contexts for women and girls, such as patriarchal societies in general, but also and more particularly in the region, authoritarian or conflict-affected countries. Most NGOs believe it is important to educate women about their digital rights and safety to enable them to use this space to access knowledge and services as well as enjoy their rights. This opportunity became even more obvious in 2020, during the COVID-19 lockdown, when girls needed computers to access education and when victims of violence resorted to the Internet to access support services or helplines. Finally, it goes without saying that action should be taken to combat the trivialisation of online violence, as well as educating men and boys to respect women’s access to public spaces and control over their own bodies, internet included.

Key Recommendations to (international) actors: The UN, EU, State actors and civil society

- Urge the UN Human Rights Council, the Council of Europe, and the League of Arab States to discuss the adoption of a regional framework containing a governance and regulation policy for IT intermediaries, specifically social media platforms, as well as the establishment of an independent judiciary council, for the following purposes: Implement cyber safety rules to protect privacy and prevent cyber violence and hate speech online against women, including a clear report mechanism for VAW incidents. Improve the cooperation between social media platforms and law enforcement authorities to hold aggressors accountable for VAW. Adopt restrictive measures against the States or platforms that do not comply with the agreement and commit abuses against persons who exercise their human rights and fundamental freedoms on the Internet.
- Call on governments throughout the region to launch consultative groups involving feminist organisations, in collaboration with the national commissions for women and the Special Rapporteur on violence against women, to agree on a roadmap aimed at overcoming shared shortcomings in the legal system to eliminate all forms of VAW, cyberviolence included. The roadmap should contain:
 - a defined timeline to adopt or amend VAW laws and propose a comprehensive definition and penalty for all forms of violence against all women and girls.
 - consistent implementation and evaluation measures of VAW legal provisions.
 - the binding recommendation to integrate a gender perspective in all laws and policies.
- Encourage further research in the region to collect more data on the extent and forms of online VAW, its impacts on women's rights and their lives, as well as the profiles of survivors and perpetrators. Research should make use of harmonised regional data collection mechanisms.
- Multiply the opportunities for good practice exchanges between civil society organisations and for the implementation of trans-national projects, and with the support of DG NEAR and the EU Delegations in the Southern Neighbourhood, as well as the Regional Programme on Ending Violence against Women in Turkey, for the following purposes:
 - Raise men and boys' awareness of the impact of digital violence against women and girls and the digital gap.
 - Hold public officials accountable for prevention, punishing, prosecuting, and providing remedies for online VAW.
 - Advise public officials on gender-sensitive approaches to cybercrime.
 - Raise women and girls' awareness of laws and services for online VAW victims.
 - Train women and girls on digital literacy and knowledge of procedures to report incidents and seek assistance on social media platforms.
- Ensure the effective inclusion of Syrian women and gender perspective in any peace and transitional justice process as well as documentation of VAW and human rights violations.