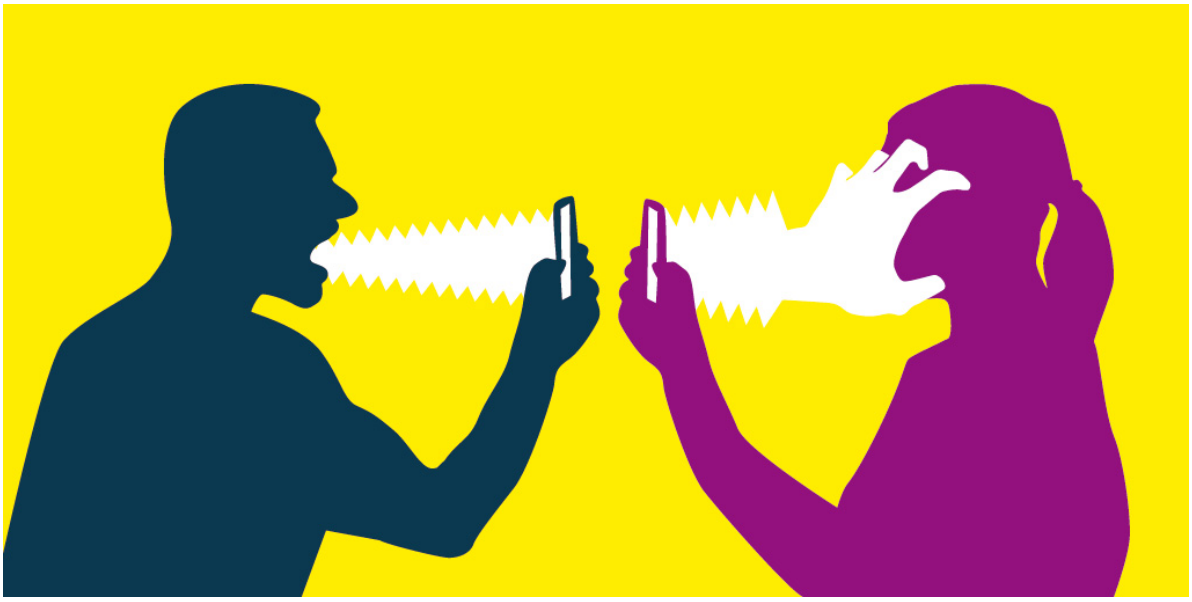
NEW FORMS OF GENDER-BASED VIOLENCE

Online gender-based violence: implications of tackling it within the framework of gender-based violence circuits

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Our society has become a digital society. The Internet, social networks, mobile phones, Wi-Fi, computers and a whole range of information and communication technologies (ICT) [1] are increasingly present, to the point where the distinction between the online and offline environment is losing meaning. Technology is increasingly becoming an intermediary element in study, work, and business with companies and administrations, communication and, above all, the way we relate to friends, family, colleagues, and our partners and/or other sex-affective relationships, especially in the case of young people.

Social networks and ICT (relationship, information and communication technologies) have allowed women, LGTBIQ+ people, and feminists to create networks, articulate actions, give visibility to our discourses and demand gender-related changes. In fact, the different cyberfeminisms have positioned themselves as an engine of optimistic development of the digital society, promoting a feminist technosocial repoliticisation which criticises the current state of affairs [2]. At the same time, they have condemned the increase in online

gender-based violence and have developed strategies to address it [3].

The digital world is not neutral, but is crossed by cisheteropatriarchal dynamics deeply intertwined with capitalism and the colonial project. Recently, the regeneration of the overtly misogynistic and LGBTIQ-phobic global neoconservative agenda has gone hand in hand with the intensification of hate, anti-rights and anti-feminist groups on the Internet, often operating in what is known as the *manosphere*, with a leading role in some online violence [4].

Online gender-based violence occurs as a manifestation of discrimination and the situation of gender inequality within the framework of a system of cisheteropatriarchal power relations, and which are produced, distributed and/or amplified in digital environments and/or through ICT [5].

Online gender-based violence can occur specifically or combined with other face-to-face forms of violence. Digital environment features make it difficult to approach and amplify its impact: anonymity and replicability, which allow the incorporation of multiple attackers, the elimination of geographical limits, the difficulties of being forgotten and the elimination of digital content, as well as the possibility of repetition 24 hours a day, 7 days a week. Online gender-based violence occurs in a digital world defined by large transnational technological platforms with a profit motive, with opaque business models based on the exploitation of our data and with very little or non-existent public control and regulation.

The impacts of digital violence can be diverse and seriously affect our lives, both in terms of mental and physical health, to the point that they have sometimes led to rape or suicide [6]. They can have social effects, generating isolation and exclusion from our relational networks, and impair educational, labour and economic opportunities when they make training or work impossible or difficult. They also affect freedom of expression and movement online, expelling us from or affecting our ability to participate in public debate, while making it difficult to generate friendly and safe narratives and making us vulnerable to other types of violence [7].

There is still a lack of systematic, public and up-to-date data on online gender-based violence. 11% of European women (9 million) had been victims of violence on the Internet (via the web, e-mail or mobile phones), while 70% of those who had suffered online gender-based violence had also suffered it from their partners and ex-partners [8]. According to the most recent data, 15.7% of Catalan women have suffered violence through social networks, a figure that rises to 44.3% among the youngest women [9] —a group that is also particularly affected by violent digital images of a sexual nature [10]—.

> Online gender-based violence can occur specifically or combined with other face-to-face forms of violence. Digital environment features such as anonymity amplify its impact

In addition, online gender-based violence particularly affects racialized women, LGTBIQ+ people and women with functional diversity, as well as feminist activists and prominent women of public relevance who become targets of digital attacks, for example, female journalists, academics, artists, technologists, gamers, athletes or politicians [11]. As for the aggressors, they are mainly men. Although they may act anonymously, in many cases they are people known to the victim (partners, ex-partners, colleagues from work or school, etc.), albeit assaults by strangers are also very relevant, especially in the framework of anti-feminist discourses and attacks on women with public relevance.

The legal framework of online gender-based violence

One of the main new changes of Law 17/2020, of 22 December, amending Law 5/2008, on the right of women to eradicate gender-based violence, is precisely the introduction of the digital dimension in addressing sexist violence

- Online gender-based violence is included as one of the forms of sexist violence. It recognises that this type of violence causes damage and attacks the freedom of women and explains that this type of violence can occur in the partner or ex-partner, family and work environments.

- It considers the digital world to be one of the areas where gender-based violence can occur, as its own area of interaction, participation and governance, through ICT, and details an extensive list of practices of such violence [13].

  The addition of the context of “violence in political life and the public sphere” and the enlargement of “violence in the social or community sphere” to include hate speech and discrimination also reinforces the inclusion of the digital dimension, even if it is not explicitly mentioned, since these are violence mostly carried out through ICT.

- In the section dedicated to research, the need to investigate and collect more data on online gender-based violence [14] is added to know its scope and characteristics, the impact and effectiveness of police, judicial and protection responses.

- The information and social awareness actions include the need to develop training and pedagogical resources for the promotion of digital citizenship to encourage the responsible and critical use of ICT [15].

- An additional provision is added [16] dedicated to promoting an agreement with intermediary Internet platforms, putting on the table the responsibility of the private technological sector in addressing digital sexist violence.

In short, Law 17/2020, of 22 December, amending Law 5/2008 on the right of women to eradicate gender-based violence, is a pioneer law in recognising online gender-based violence and establishing tools to address it. It proposes a complex and cross-sectional view that will need to be unfold with concrete measures integrated into the care circuits and

services.

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The legal frameworks on privacy, data protection and regulation of technology companies are also very relevant to combat online gender-based violence, and do not necessarily incorporate a gender perspective. It will also be necessary to take into account the legislative developments that have occurred recently, such as Organic Law 8/2021 on the comprehensive protection of children and adolescents against violence. Or those currently in the process of being drawn up or reformed, in particular the draft organic law for the comprehensive guarantee of sexual freedom, the reform of the criminal justice regulations and the elaboration of the regulations on cyberviolence in the European Parliament.

Fighting online gender-based violence: recommendations and further steps

When responding to online gender-based violence, it is necessary to understand digital security holistically, incorporating three dimensions: physical, psychosocial and digital. Not only is protection against digital attacks necessary, but it is also fundamental to promote well-being and care (both personal and also regarding data and electronic devices), which is what allows the agency and life projects of each one to be sustained. Without intending to be exhaustive, we will mention some key strategies to combat online gender-based violence.

In prevention and detection:

- Start from an empowering perspective. It is not about women abandoning technology and the digital world even further, but about moving towards freer and safer digital relationships.

- The digital sphere must be a space of prevention, intervention and awareness in itself, using the networks to generate specific actions and campaigns (disseminate security tips, generate communities and warning tools or strengthen protection factors).

- Raise awareness about online gender-based violence and the importance of digital sovereignty and the critical use of technologies, and incorporate digital feminist self-defence into the catalogue of prevention actions, especially for teenagers and young people.

- Promote secure digital tools that respect privacy, with a special emphasis on free and

open-source software [17], those that have a community and proximity dimension and secure technological infrastructures (such as anonymous browsing via TOR —a free software that allows you to surf the Internet anonymously—, autonomous servers, encryption and authentication tools, etc.). It will also be necessary to explore the intersection that can occur in the institutional violence context [18].

- Generate systematic, public and up-to-date data on online gender-based violence, the effectiveness of social, technological, police and judicial responses, and systematise good practices in their approach from an intersectional framework that foresees the emergence of new forms of violence [19].

- From a more structural point of view, it is essential to promote the participation of women in digital occupations, today still enormously masculinised, and to support the development of digital security professional profiles with a feminist perspective.

In care, recovery and reparation:

- Be sure that the technological infrastructures of care guarantee privacy and security.

- Reassess risk assessment tools to incorporate the evaluation of digital threats and risks, and develop digital security and risk mitigation plans, which can range from very specific measures (destruction or encryption of sensitive personal material such as photographs…) to more structural actions (camouflage strategies, fortification, blocking, using safer tools, among others).

- Integrate the technological dimension in the working methodologies of services and circuits of gender-based violence, providing specific training and developing and disseminating practical support materials and resources [20]. In particular, it is necessary to make response tools to digital attacks known: to report, block or silence aggressors, and to profile and document the attacks in a way that allows responding to them and, where appropriate, denouncing the platforms in the courts. In this sense, it will be essential to develop and disseminate tools to document and certify proof of online gender-based violence in the legal sphere so that complaints have an effective course of action.

- Incorporate profiles of technologists and digital security experts into the sexist violence circuit.

- Deploy the digital dimension in access to rights (for example, guaranteeing free access to IT expertise) and in protection mechanisms (also deploying judicial protection orders in the digital field).

- Collaborate with digital platforms and companies [21] to make protection effective, expel aggressors from the networks and guarantee the freedom and safety of women’s digital participation, and avoid censorship mechanisms of critical content. It

will also be necessary to promote transparency and public audits of algorithms and the use of data.

- Deploy reparation strategies in a digital key, supporting campaigns and counter-narratives that make visible this violence, make known the ways to face them and strengthen the networks of relationship and mutual support that counteract the desire for isolation and control. Support for feminist digital action is fundamental for re-appropriating the digital world, making it freer and friendlier for women and LGTBIQ+ people and preventing us from being excluded from it.

In short, it is necessary to rethink the approach model to include the digital dimension as a crosscutting issue in the gender-based violence circuits and services in all its phases, overcoming the already obsolete dichotomy between the online and offline world and developing initiatives in all areas. At the same time, it is important to have a comprehensive view and not focus exclusively on denouncing and technological responses. The experience of people who have suffered this type of violence shows us in fact the relevance of companionship and support, prevention and collective action [22].

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Finally, the digital training of women in particular and of the general public (including service professionals), the promotion of women's participation in the technological sectors and the development of digital tools that respect the privacy and the security of users are also fundamental lines of action in order to move towards greater freedom and respect also in the digital world

REFERENCES AND FOOTNOTES

1 — When talking about ICT, it is increasingly common to refer to relationship, information and communication technologies, incorporating technologies focused on social relationships, in order to stress the importance that this dimension has taken on in recent years, especially regarding the impact of social networks.

2 — Cruells, Eva; Hache, Àlex; Vergés, Núria (2017). «Ciberfeminismos 2017». *¡Feminismos! Eslabones fuertes del cambio social*. No. 6, pp. 127-136.

3 — See:
• Luchadoras (2017). «La Violencia en Línea Contra las Mujeres en México. Report to the UN Rapporteur on Violence Against Women» [available online]. Mexico: United Nations.

• Jane, Emma A (2017). «Feminist flight and fight responses to gendered cyberhate». In: Segrave, Marie; Vitis, Laura. *Gender, technology and violence*. London: Routledge, pp. 45-61.

• Vergés Bosch, Núria; Donestech (2018). «Kit Contra les violències masclistes on-line» [available online].

• Fernández, June; Fernández, M. Ángeles; Momoitio, Andrea. (coord.) (2019) «Monográfico violencias digitales». *Pikara Magazine*.

• Vera Balanza, María Teresa (2021). «Feminismo, misoginia y redes sociales: Presentación del monográfico». *Investigaciones feministas*, No. 12.1, pp. 1-4.

4 — See:
• Hanash Martínez, Macarena (2020). «La ciberresistencia feminista a la violencia digital: Sobreviviendo a Gamergate. Debats». *Revista de Cultura, Poder i Societat*, No. 134(2), pp. 89-106.

• Bonet i Martí, Jordi (2021). «Los antifeminismos como contramovimiento: una revisión bibliográfica de las principales perspectivas teóricas y de los debates actuales». *Teknokultura. Revista de Cultura Digital y Movimientos Sociales*, vol. 18, No. 1, pp. 61-71.

5 — For example, hate speech on Twitter, threats through messaging, WhatsApp, or accessing our devices without permission, using social networks to control or harass, sharing or publishing intimate photographs without consent, among other forms.

6 — European Parliament (2018). *Cyber Violence and Hate Speech Online against Women* [available online]. Committee on Women's Rights and Gender Equality.

7 — Igareda González, Noelia; Pascale, Adrián; Cruells, Marta (2019). *Les Ciberviolències masclistes* [available online]. Barcelona: Government of Catalonia.

8 — European Union Agency for Fundamental Rights (2014). V*iolence against women: an EU-wide survey. Main Results* [available online]. Viena: EU Agency for Fundamental Rights (FRA).

9 — Analysis of Catalonia's data from the 2019 Violence Against Women Macro Survey promoted by the Spanish Government Delegation against Gender-based Violence.

10 — Donoso Vázquez Trinidad; Rebollo Catalán, Ángeles (2018). *Violencias de género en entornos virtuales*. Barcelona: Octaedro.

11 — Crosas Remón, Inés; Medina-Bravo, Pilar (2019). «Ciberviolència a la xarxa. Noves formes de retòrica disciplinària en contra del feminisme». *Papers. Revista de Sociologia*, No. 1, pp. 47-73.

12 — Point f), article 4, consolidated text.

13 — Such as “cyber-bullying, surveillance and monitoring, slander, insults or discriminatory or derogatory statements, threats, unauthorised access to social media equipment and accounts, invasion of privacy, manipulation of private information, impersonation, non-consensual disclosure of personal information or intimate content, damage to the equipment or channels of expression of women and women’s groups, speeches inciting discrimination against women, sexual blackmail through digital channels and the publication of personal information with the intent of other people assaulting, locating or harassing a woman”. Article 5, consolidated text.

14 — Article 8b bis, consolidated text.

15 — Article 9, section 6, consolidated text.

16 — Additional provision thirteen, consolidated text.

17 — Known as Free and Open Source Software (FOSS).

18 — The use of technology by public administrations can also generate dynamics of online violence, especially for certain groups of women such as migrants, impoverished or dissenting women (such as, for example, surveillance tools, collection of personal data, facial recognition and biometric data or the use of artificial intelligence in decision-making, hacking, silencing and monitoring of dissent).

19 — Such as online gender-based violence in the workplace, which may have been intensified by the increase in telecommuting linked to COVID (so it will be necessary to incorporate this into equality plans and harassment protocols in the workplace), the emergence of new practices (for example, deep fakes or the possibilities of control and harassment offered by the Internet of Things), among others.

20 — For example, tips for digitally disconnecting from one’s partner, checking the safety of technological devices, tips on what to do in the face of social media attacks or security equipment.

21 — Including video game companies and those linked to the gamer world, an area in which digital sexist violence has been repeatedly reported.

22 — See:

• Igareda González, Noelia; Pascale, Adrián; Cruells, Marta (2019). *Les ciberviolències masclistes* [available online]. Barcelona: Government of Catalonia.

• Vera Balanza, María Teresa (2021). «Feminismo, misoginia y redes sociales: Presentación del monográfico». *Investigaciones feministas*, No. 12.1, pp. 1-4.



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