



Gender Violence On the Internet:

The Philippine Experience

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Philippine Country Report on Technology-Related Violence
against Women in the Philippines

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Ministry of Foreign Affairs

GENDER VIOLENCE ON THE INTERNET: THE PHILIPPINE EXPERIENCE

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FOREWORD

The Foundation for Media Alternatives (FMA) prepared this country report as part of the broader study conducted by the Association for Progressive Communications (APC) on End violence: women’s rights and safety online, which involve seven different countries. It looks into the existing legal remedies and corporate policies in the Philippines as they relate to technology-related violence against women (VAW).

In recent years, the media has directed the world’s attention to the increasing prevalence of technology-related VAW incidents in the Philippine context, and the urgent need to raise the people’s awareness and recognition of this worsening social malaise. Despite the existence of relevant laws on the subject—such as Republic Act No. 9995, otherwise known as the Anti-photo and Video Voyeurism Act, Republic Act No. 9775 or the Anti-Child Pornography Act, and Republic Act No. 10175 or the Cybercrime Prevention Act, to name a few—their effectiveness as exhibited through proper implementation and the prosecution of reported offenses has yet to be seen.

This report provides a glimpse on how women and girls in the domestic milieu experience violence in the digital space, and the response provided by municipal laws, including the corporate policies of local internet service providers, to such instances of technology-related VAW. For this purpose, FMA documented and analyzed three relevant and fairly recent cases that make up the crux of this text.

To be sure, there remains a large area to explore insofar as the effects and influence of technology—particularly ICTs—on women’s human rights. This document represents but a critical first step in a more comprehensive inquiry that FMA hopes to be involved with, as it continues its mission of assisting in the promotion and protection of gender rights in the digital environments and in the global information society.

ALAN G. ALEGRE
Executive Director
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The harms and violations perpetrated through and within ICTs are in need of serious attention...

Introduction

Information and communications technologies (ICTs) have revolutionized societies. They have transformed the way we communicate, socialize, transact business, gather and receive information.

For women, ICTs have provided vital spheres where they are able to express themselves, assert their rights and identities, initiate and enhance their participation in political and public life. But with the proliferation and increase in use of ICTs, there is also the risk and, in fact, evidence that violence against women (VAW) involving the use of technology is growing.

The harms and violations perpetrated through and within ICTs are in need of serious attention because, for the most part, they are not recognized or are seen as trivial, thus receiving inadequate and inappropriate response from the different actors such as the state, the private sector, civil society, or the women themselves.

In the Philippines, there have been several media reports on technology-related VAW, especially the uploading of images and videos without consent. However, there are no government data that point to the extent of these. Furthermore, according to a representative from one government agency, technology in VAW is treated as one of the tools to commit this crime.

The Association for Progressive Communications (APC), under its Women's Rights Programme, commissioned in 2013 a research project that looked into the increasing but largely unreported incidence of technology-related Violence against Women (VAW), the remedies available to those who experienced it and how they addressed the problem.

Technology-related VAW is a distinct phenomenon because of the medium, mode and place of its commission. The context in which it manifests remains relatively unexplored and less understood and as such has implications on women's access to justice. The distinct characteristic of ICT—its borderless nature, the fluidity of digital personhood, the absence of physicality, and the anonymity and intractability it offers—has changed not only the manner by which VAW is being committed and perpetrated, but also its effects and consequences, and its subsequent prosecution or non-prosecution.

¹ See UN Human Rights Council Report of the working group on the issue of discrimination against women in law and in practice, 2013. Available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.50_EN.pdf

² Foundation for Media Alternatives, 2013. Baseline report on VAW and its reporting system in the Philippines.

³ Anita Gurumurthy, and Niveditha Menon, Violence against Women via Cyberspace, Economic & Political Weekly (EPW), Vol. XLIV No. 4 (October 3, 2009).

The project was undertaken by APC project partners in seven countries: Bosnia and Herzegovina, Colombia, Democratic Republic of Congo, Kenya, Mexico, Pakistan, and the Philippines.

The main objectives of the study were to:

- Document in-depth case studies on victims/survivors of technology-based violence against women,
- Map pertinent domestic legislation that address technology-driven VAW, and
- Carry out desk review of corporate policies that either provide redress to cyber violence or hinder remedies.

This report summarizes the results of the research conducted by the Foundation for Media Alternatives (FMA), APC's partner in the Philippines. It documents three cases of technology-based VAW based on information from newspaper reports as well as from interviews conducted by FMA with a victim, lawyers and law enforcers, civil society groups directly concerned with VAW, and representatives of ICT companies (Internet Service Providers, Mobile Phone companies, and their public policy departments).

Summary of Research

The primary focus of the study was to document women's experience with technology-related violence in order to raise visibility of the issues and to advocate for the development of effective legal remedies and corporate policies/redress mechanisms to protect the rights of women. Based on the overarching research design, the study used purposive sampling of key informant interviews, and also a desk review of laws and corporate policies. FMA carried out the study between August 2013 and April 2014.

FMA originally sought to conduct four in-depth case studies, but adjustments had to be made due to the difficulty in finding victims/survivors willing to be interviewed. FMA settled for three in-depth case studies.⁴ Two are highly-publicized cases of celebrities, Ruby and Martha,⁵ whose private videos and photos were uploaded

⁴ Brief descriptions of the three cases can be found at the end of this report.

⁵ Names have been changed to protect the identity of the respondents.

on the internet without their consent. Both sought legal remedy. Only one (Ruby) granted an interview with FMA. The other case study was developed from news articles online and an interview with a lawyer handling a related case. The third case is about child cyber-pornography in a small town in Cebu province. Interviews were conducted with police personnel from the Anti-Cybercrime Group, a lawyer for an NGO providing legal assistance to children victims of abuse and a psychologist. The case studies were supplemented with news articles online. A desk review of corporate policies and laws was also conducted.

Case Digests

Sex video scandal

In 2009, a video showing intimate acts between an actress (Ruby) and a celebrity doctor became viral. This prompted the actress to file a complaint before law enforcement agencies because she did not consent to the taking and uploading of said video. The case was filed in court because of the emotional and psychological anguish that the uploaded video caused the actress. During that time, there was no law yet in the Philippines that punished violence against women perpetrated through the use of ICTs. The actress lost her case. However, she gave face to the many women whose rights are being violated online. Her daring act to come out and speak about her experience hastened the passage of the "Anti-photo and Video Voyeurism Act."

Photo scandal

An image showing the private parts of an actress-politician (Martha) was circulating in various platforms online. Not being well-versed on such online violations and how to claim her rights, the woman engaged the services of a private lawyer to have her photos taken down. Citing the privacy of her client and utilizing the existing law against photo and video voyeurism, which clearly and categorically punishes "the act of publishing or broadcasting, or causing to be published or broadcasted, whether in print or broadcast media or through the internet, the photo of a person showing her private areas," the lawyer issued demand letter to bloggers, Twitter, Facebook, Instagram and other social networking sites not to allow anymore downloads (and sharing) of the nude photos, warning that doing so is a violation of the law. The photos were taken down within 24 hours after the demand letter was issued.

Child cyber pornography

Early in 2014, the issue of cyber pornography in a small coastal town in Cebu called Cordova hit the headlines. The cases reported involved the use of minors in the operation of cyber pornography dens. It was later learned that in some cases, it is the parents of the minors themselves who are encouraging their children to pose naked or perform lewd acts in front of webcams for the satisfaction of paying foreign customers. In some cases, it is the parents themselves who are directly involved in the operation. Several raids were conducted and those involved in the operation, including the parents, were sent to jail. The social welfare department took over the custody of the minors.

(Excerpts from a report entitled 'What are you doing about Violence against Women?' published by GenderIT.org, a resource site that aims to provide feminist reflections on internet policies.)

Policy and Political Background

The Philippines ranks high in terms of gender equality. It placed first in Asia and ranked 5th in the world in 2013, according to the Global Gender Gap Report of the World Economic Forum issued that year. The government signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1980 and ratified the same in 1981. The country's 1987 Constitution recognizes the role of women in nation-building, values the dignity of every human person and guarantees full respect for human rights.

Over the last two decades, several laws designed to protect the rights of women and children were passed, but a review of these policies showed that the term "information and communications technology" (ICT) has not been categorically defined in Philippine statutes.⁶ Still, in the last decade the Philippines has been proactive in plugging the gaps in existing legislation through amendments or the creation of new laws to keep up with the changing pace of technology.

For example, the Anti-Violence against Women and Children (VAWC) Act of 2004 (RA 9262) provided a comprehensive framework to address violence against women, including mechanisms to increase reporting, documentation and prosecution of such cases. However, this law included no provision on the use of ICT to commit acts of violence against women.

As documented in Ruby's case study, the ineffectiveness of the Anti-VAWC law was exposed when she used the law in filing charges against a former boyfriend who uploaded their private sex videos on the internet. While Ruby lost the case under the Anti-VAWC law, her crusade for redress facilitated the passage of the Anti-Photo and Video Voyeurism Act in 2010 (RA 9995).

This piece of legislation has since become a very important point for recourse in cases of technology-related VAW. The law prohibits acts of taking, copying, reproducing photos and videos, and publishing these through VCD/DVD, the internet, cellular phones and other devices. As well, in 2013, legislators from both the Senate and House of Representatives filed separate bills to expand the coverage of RA 9262 to include digital harassment.

⁶ While ICT has not appeared in Philippine statutes, the term "information and communication system" has been defined in Sec. 2 of Republic Act 8792 or the Electronic Commerce Act of 2000

In September 2012, the Cybercrime Prevention Act (Republic Act 10175) was passed to address the growing cybercrime incidences in the country. The Philippine National Police (PNP) formed the Anti-Cybercrime Group (ACG) in 2013 as the primary unit responsible for the implementation of the Cybercrime Prevention Act.⁷

The law authorizes state enforcers to collect traffic data and requires service providers to cooperate and assist in law enforcement by preserving data and disclosing information to aid investigation. Under the Anti-Child Pornography Act of 2009, service providers are also required to notify the PNP when they obtain information regarding child pornography committed using their server or facility.

⁷ Other than the PNP, the other primary unit responsible for the effective law enforcement of the provisions in cyber crime prevention Act is the National Bureau of Investigation, a unit under the Department of Justice.

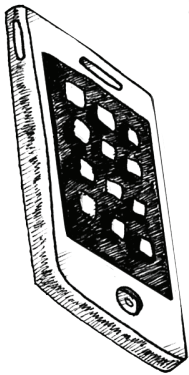
KEY THEMES IN THE CASE STUDIES

1. Dynamics of technology-related forms of VAW

Dissemination of intimate photos and videos without consent.

Both Ruby and Martha's cases involved the dissemination of sexually explicit videos and photographs on the internet.

The four sex videos and the two photos in question were taken by persons with whom the victims had intimate relationships, and with their consent, based on trust that the materials would only be for private use. Yet the materials were uploaded to the internet after the relationships had gone sour, without consent of the victims, and with intention to harm their reputations and cause emotional distress.



While the act of aggression by a former partner is becoming an increasingly visible form of technology-related VAW, in the cases of Ruby and Martha, they did not know exactly who uploaded the materials to the web. The victims know the photos and videos were in the possession of their ex-partners, but without being able to trace the original point of uploading, it became impossible to identify and confront those who published the materials online, an obstacle hindering women's options for recourse.

Another issue is the viral speed with which the photos and videos spread online. As the victims are famous celebrities, the materials spread like wildfire in blogs and social networking sites for the netizens to feast on. Web hosts and online news websites that shared the materials received more visitors than usual.

Hate speech

Both Ruby and Martha were vilified online, accused of being immoral and were called names. The public engaged in victim-blaming, rather than focusing on the actions of the perpetrators. The women have become victims twice over - first when the video and photos were uploaded, and second, when they were sneered at and defamed by the public.

Digital pornography

In Ruby's case, her videos appeared in a pornography website.⁸ These were also converted into VCD/DVD formats and were sold in the black market, making the videos accessible even to those without internet.

Child Cyber-pornography

In the third case study, the victims are minors from poor families. Cyber-pornography operators, in some instances the minors' own parents, order the children to perform lewd acts on webcam. The children are groomed and made to watch pornographic materials before they are told to perform in front of the computer. The clients, oftentimes older men outside the country, send payment through money transfer agents.

2. Harms to women

Emotional pain, anxiety, invasion of privacy, and tarnished reputations were common in the cases of Ruby and Martha. Both celebrities, they feared going to public places where they felt that everyone was staring and looking down at them. Their freedom of mobility was restricted as a result. Both were vilified online. Ruby's work suffered. She lost product endorsement contracts. She also turned down television roles that portrayed her as villain lest it reinforced the already negative public perception of her. This resulted in income loss and financial insecurity. Ruby suffered from adjustment disorder with depressed mood. For one year, she did not talk to co-workers in the movie industry.

⁸ The website has since been closed and the operators charged in court.

The right to privacy is guaranteed in the Philippine Bill of Rights and other laws but was repeatedly violated in the two cases. While Ruby consented to making three out of the four intimate videos that circulated on the web, and Martha agreed to have her photos taken, neither one consented to the uploading of the materials to the internet, and definitely not to their proliferation in various internet sites.

In the third case, the children were exposed to an unsafe and unhealthy environment at a tender age. They were forced to earn some income for their families, and were made to feel responsible for helping provide financially. They feared reporting the abuse because their own families were involved. Those rescued by law enforcers were taken away from their families and friends and placed under the custody of the Social Welfare department, including those whose parents were not involved in cyber-pornography. Separation from family can be traumatic.

Equally disturbing was the practice to force the children to watch pornography as a prelude to the act of performing in front of the computer. A psychologist testifying in court said, "sustained exposure to pornography leads to serious psychological disorders in minors" which will set in later in their lives. There may be not be manifestations among the victims yet, but there is evidence that boys exposed to pornography become increasingly aggressive when they become adults, while girls become more tolerant of emotional, psychological and sexual abuse, making them believe that violence is normal behavior.

3. Actors

The women were able to obtain the services of legal counsels who helped them identify the legal recourse and charges to file. Both sought help from the National Bureau of Investigation to track and determine the identities of the perpetrators.

In Ruby's case, the sex video taken by her former doctor-boyfriend was uploaded to a US-based web hosting site, thus the NBI had to secure a court order from the United States. An Anti-VAWC case was filed in a regional trial court but was later dismissed because of insufficiency of evidence. She also filed another case seeking the revocation of her ex-boyfriend's medical license.

The right to privacy is guaranteed in the Philippine Bill of Rights and other laws but was repeatedly violated...

The Philippine Medical Association, albeit not directly involved in Ruby's case, suspended the medical doctor for two years for "conduct offensive to the profession." The Professional Regulatory Commission revoked the doctor's license, citing "immorality and dishonorable and/or unethical conduct offensive to the profession" considering that Ruby used to be one of his patients. (The PRC reinstated his license in 2014 following what it said was a prescribed two-year waiting period to re-apply for a license).

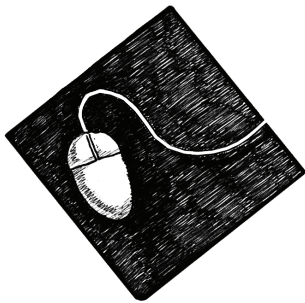
Because the case involved a TV personality and a celebrity doctor, it attracted a lot of publicity and drew support from some senators who initiated an inquiry into what one legislator described as an act of exploitation.

Martha's case involved fewer people and took a shorter time to resolve because the Anti-Photo and Video Voyeurism Act was already in place then (which was not the case when Ruby sought redress). One day after the uploading and spreading of Martha's photos, her legal counsel issued public demand letters to news networks, bloggers, Yahoo which has office in the Philippines, and Facebook to remove the private photos from their sites. The public demand letter carried a warning to the public that Martha is represented by a lawyer and would file a case if the photos were spread further and not taken down. The legal counsel cited the Anti-Photo and Video Voyeurism Act. Bloggers and news networks took down or blurred the photos within 24 hours upon receipt of the public demand letter.

The case of child cyber-pornography in Cordova was more complicated as it involved not just a single individual but several minors who were coerced to pose naked in front of a webcam. It also involved the Anti-Human Trafficking Task Force that conducted raids on houses suspected of running cyber-pornography operations, based on reports from the community. Complaints were reported to the nearest police station, local social welfare office, or the barangay office. Witnesses signed affidavits attesting to the veracity or knowledge of the case. Rescued children were placed under the custody of Social Welfare Department and its Child Rights Protection Unit talked to the children about their experiences. The cases were also referred to local NGOs that provide legal assistance.

ACCESS TO JUSTICE?

Is the Legal Framework Satisfactory?



A major obstacle in pursuing technology-related VAW committed through the internet is the law's enforceability because perpetrators are oftentimes anonymous. According to a lawyer interviewed for this research, internet crimes are the same as those defined in the Philippine Revised Penal Code (RPC) except for the medium used. Even with the absence of a law on cybercrime, charges can be filed using existing laws, but it becomes problematic if the perpetrator's identity is unknown.

In the cases of Ruby and Martha, they could not file charges against the person/s who uploaded the video and photos. In the Cordova case, the online predators are located outside the country, therefore outside Philippine jurisdiction.

Tracking and identifying perpetrators is also a problem. Ruby's video was uploaded using a US-based web hosting site. The NBI Anti-Fraud and Computer Crimes Division had to secure a court order for the web hosting site to open its system log in order to determine the IP address and domain registration of the person who uploaded the video. Martha's lawyer, on the other hand, was able to identify the bloggers spreading photos from outside the country.

While violence against women is considered a public crime, technology-related VAW is a new dimension which the Philippines is just starting to navigate. In Ruby's case, she filed charges using the Anti-VAWC Law. When the prosecution charged her ex-boyfriend with the act of videotaping their intimate act without Ruby's consent and further uploaded the same on the internet, there was yet no law specifically dealing with VAW and ICT. Ruby lost the case because "it was the uploading of the video and the resultant public viewing through the Internet which caused the emotional and psychological distress."⁹

⁹ A Regional Trial Court's decision on the case filed by 'Ruby' against her ex-boyfriend.

It is imperative that legislation is used carefully so it does not impinge on citizen's rights.

However, Ruby's experience and her decision to make public the violation she experienced paved the way for the immediate passage of the Anti-Photo and Video Voyeurism Act which prohibits and penalizes the recording of private acts, as well as the distribution or exhibition of such recordings without the consent of the person involved.

Martha in a sense is luckier than Ruby because the landmark legislation was already in effect when her compromising photos were posted online without her consent. This law was invoked by her legal counsel and as a result, the images were taken down.

Laws, however, do not always prove to be effective deterrents in the commission of crimes. Even after the passage of the Anti-Photo and Video Voyeurism Act, several more cases similar to those of Ruby and Martha were reported in media. The anonymity that the Internet provides emboldens malicious citizens to commit damaging acts without fear of discovery in spite of laws. This means a lot more advocacy and education are needed to address issues of violence and rights abuses through technology.

Existing laws, such as the Anti-violence against women and children act and the anti-trafficking in persons act, mandate the provision of government services to support and protect women and children who are victims of violence and human trafficking. These include the provision of free shelter, counseling, and free legal support service. These important support measures are largely unknown to the public so there is need to inform people that they exist. Something should also be said and done about the length of time to get justice through the legal system. It is no wonder that even lawyers advise their clients to settle cases out of court, especially civil ones, in order to get some relief from the cases.

In terms of corporate responsibility, legal frameworks may also have limited impact. In spite of the laws, service providers claim no legal liability for any illegal or criminal activities committed using their services or facilities. They also have no obligation to monitor or pre-screen how their services are used or what materials and content are coursed through their facilities. However, there is also the contention that actions, such as monitoring and pre-screening, will inadvertently violate rights to privacy and freedom of expression of innocent users.

Links

RA 9710 - http://pcw.gov.ph/sites/default/files/documents/laws/republic_act_9710.pdf
RA 9262 http://www.pcw.gov.ph/sites/default/files/documents/resources/ra_9262_and_irr.pdf
RA 9208 http://www.pcw.gov.ph/sites/default/files/documents/resources/ra_9262_and_irr.pdf
RA 10364 http://www.lawphil.net/statutes/repacts/ra2013/ra_10364_2013.html
RA 9995 http://www.lawphil.net/statutes/repacts/ra2010/ra_9995_2010.html
RA 9775 <http://www.gov.ph/2009/11/17/republic-act-no-9775-s-2009/>

Early in 2014, the temporary restriction order on the Philippines Cybercrime Prevention Act¹⁰ was lifted. The law has a provision that requires the cooperation of service providers to preserve traffic data for six months to aid in investigation. However, there is need to further study the law because there are vague provisions that may be detrimental, rather than helpful, especially to women and children.

One such provision pertains to “cybersex”,¹¹ which does not define clearly enough the issue of consent, so that a woman forced into cyber-pornography against her will may also be criminalized along with the perpetrator for simply engaging in cybersex.

The Revised Penal Code is another case in point, where there are outdated sections and provisions relating to prostitution, white slavery, lasciviousness, crimes of chastity, and other issues relating to women that should be amended. For example, Art. 202 of the RPC on Vagrancy and prostitution defines prostitutes as “women who, for money or profit, habitually indulge in sexual intercourse or lascivious conduct,” and criminalizes women engaged in prostitution.¹² It is imperative that legislation is used carefully so it does not impinge on citizens’ rights.

¹⁰ The Philippines Cybercrime Prevention Act (RA10175) was passed in September 2012 and was placed under temporary restraining order by the Supreme Court following petitions from 15 groups questioning its constitutionality.

¹¹ Cybersex is defined in Section 4(c)(1) of RA 10175 as the “willful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favor or consideration.”

¹² See <http://pcw.gov.ph/sites/default/files/documents/laws/wpla/2013/October/webmaster/anti-prostitution.pdf>

Another obstacle in prosecuting cybercrimes is that many women are reluctant to report cases of violence, including technology-related violence, out of shame or fear of getting the blame. There are also those who report to the NBI and file a police blotter¹³ but do not follow up on the complaints they filed. In many cases, victims are discouraged because the process is tedious and costly. Because of this, one lawyer interviewed for this study said settling cases out of court has become an attractive option under the Philippine justice system.

One important consideration in cases dealing with VAW is the financial capacity of victims to seek legal remedies. Martha had the financial resources and could afford to hire the service of a high-caliber legal counsel. Ruby relied on the pro-bono services of her father's lawyer-friends, without whose help, it would have been difficult for her to pursue the case because at the time the videos came out she had spent all her savings on a house she just bought. It is especially tough for the children, who are from poor families. Going after the cyber-porn clients abroad is extremely expensive. It is not clear who foots the bill or which government body covers said expenses.

The case studies also demonstrated that addressing technology-related violence against women and children requires much more than laws limited to protection, regulation, prevention and criminalization. It requires addressing the structural inequalities and root causes of VAW. For example, when child pornography is happening in communities ravaged by poverty, economic empowerment programs need to be developed to offer alternative livelihoods. More broadly, concrete programs to prevent sexual violence in cyberspace by promoting human rights for all and harnessing ICT's potential to promote women's empowerment should also be developed.

¹³ A police blotter is a logbook that contains the daily registry of all crime reports, official summaries of arrest, and other significant events reported in a police station. See <http://www1.umn.edu/humanrts/research/Philippines/Philippine%20National%20Police%20Manual%202010.pdf>

Are Corporate Redress/Response Mechanisms¹⁴ Satisfactory?

With webcams, mobile phones, blogging sites and social networking platforms all implicated in technology-related VAW, an important question of the research has been whether corporate redress/response mechanisms exist and whether they are effective in preventing and stopping technology-related violence.

In this research, we mapped the policies of three national telecommunications companies: the Philippine Long Distance Telephone (PLDT) Company, Smart Communications, and Globe Telecommunications, as well as four international social media platforms: Facebook, Yahoo, Instagram and Wordpress.

Telcos, internet service providers and website hosts prohibit users from using their services and facilities for unlawful, illegal, harmful activities. These range from using language that are abusive, defamatory, vulgar, obscene, libelous, to uploading of materials, either video or photo, or text of the same nature. They also warn against harassment and bullying. The prohibitions are found in their Terms and Conditions (TOC), and users and other customers are required to agree with these terms when they avail themselves of the services and facilities. For sites that are interactive such as those with chat services and comments sections, they usually have Community Guidelines.

Instagram, which has a large penetration in the Philippines, has a child-protection policy but no specific provisions for VAW. At most, there are sites, like Wordpress.com that filter "mature contents", such as nudity and sexually explicit images. Mature contents are flagged and excluded from public areas of the service. Some potentially identifiable personal information is also collected with assurance that this will be confidential and not disclosed to the public. There are click buttons for reporting abuses and scams. Facebook, for example, has it in the home page of the account owner. Apart from report abuse buttons, there are some sites that have complaint mechanisms or procedures, but it usually takes tedious navigation of the site before one can reach the page. Filipino netizens often do not want to endure long and tedious navigation especially when the internet connection is not very reliable.

Data preservation policies are time-bound and therefore restrictive.

¹⁴ Corporate response mechanisms: This shall refer to remedies provided by internet intermediaries e.g. internet service providers, search engines and portals, data processing and web hosting providers and participative networked platforms such as complaint mechanisms, corporate user policies, etc. This could be as simple as having a "report" or "block" option for users, or as extensive as collaboration with law enforcement agencies in providing information for prosecuting cases or obtaining restraining or protective orders, etc.

*She later
realized
that her fight
for justice
was
no longer
her own...*

Accounts of social media users found to violate the TOCs can be disabled. The same is true for telephone companies. But users with the propensity for or willful intention to use the internet for illegal and harmful purposes, can easily create new accounts under different identities. As for the phone companies, pre-paid SIM cards are readily available, cheap, and do not require registration, making it easy to replace disconnected cellular phone connections.

Telecommunications companies, ISPs and other service providers are explicit in their terms and conditions: they are under no legal obligation to monitor or screen how their services are used. They leave it with the users to report, and only after a complaint is substantiated will they take action. This is problematic because even if there are unusual and suspicious digital traffic data they will not voluntarily monitor or report to authorities.

In the case of cyber-pornography in Cordova, for example, even if a series of raids have been carried out there is still no apparent effort on the part of service providers to cooperate with authorities. Phone companies, on the other hand, claim that they do not keep an archive of text messages or SMS contents, but they keep transaction records. Unless a victim is able to save the messages she received from a harasser for example, she does not have evidence to prove her complaint.

The privacy policies of service providers state that confidentiality of a client's information will be protected and will not be disclosed without the consent of the client, but under international and national laws, these intermediaries are required to submit to subpoenas, warrants or court orders.

Data preservation policies are time-bound and therefore restrictive. The intermediaries store their data for a limited period of time, if it took time for arrests and prosecution to occur - and they do take a long time in the Philippines - important data would have been deleted.

Dynamics of Justice

The research sought to document what 'obtaining justice' meant to the victims/survivors of technology-driven VAW. Of the three cases, only one victim (Ruby) was willing and available for interview, hence first-hand information on the subject is limited.

Ruby decided to file charges initially to seek justice for herself. She later realized that her fight for justice was no longer her own, but would also benefit the other women who were similarly victimized by her ex-boyfriend, as well as other would-be victims. She did not want to send her ex-partner to jail, but felt that she would be cleared of blame if the perpetrator was made to speak publicly in court about his actions. This did not happen when the court dismissed her case for lack of evidence. She felt the law was unfair.

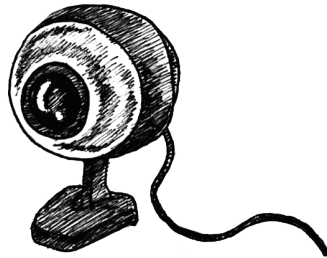
Martha claimed to have recovered from her ordeal just a week after her photos came out on the internet. She was actually more concerned with the impact of the scandal on her children who are active in social networking sites. She managed to secure the services of a legal counsel who acted promptly on the matter, and bloggers, website hosts responded positively within 24 hours. Some of them even apologized for sharing her private photos. Her admission to the authenticity of the photos and her honesty about her own choices helped change the public's perception of her.

It is hard to tell what justice would look like for the victims of child pornography as court cases are still in progress. For those whose own parents are the victimizers, the very idea of the minors testifying against them poses a challenge not only to the children but to legal support groups as well.

For other actors at the government level, policies, programs and laws are being developed to improve the delivery of justice to the children. The provincial government of Cebu and the local government of Cordova are tackling child cyber-pornography on all fronts. Money-transfer companies being used by cyber-pornography operators to receive payments from clients overseas are being watched. There is now a municipal ordinance requiring them to submit a monthly report on the number of their customers and suspicious transactions. It also requires the customers to fill out a form with information about themselves, sender, their relationship to the sender and the purpose for the remittance. Other measures to curb cyber-pornography include requiring town residents with internet connection to register with the local government, and conducting parent-teacher meetings to educate parents on the issue.

The provincial government also launched a sticker campaign to help stamp out cyber-pornography. It asked families to post stickers carrying messages like “No to cybersex” and “God bless this home.” Instead of a shame campaign targeting those who are engaged in the illegal activity, local officials opted for positive reinforcement for the community which they hope will touch the conscience of those involved in the trade.

Authorities are also getting assistance from the US Department of Homeland Security in its ongoing cybersex and human trafficking cases. Personnel of the Homeland Security help in “computer autopsy” to retrieve incriminating evidence inside central processing units or other storage devices confiscated through raids.



Recommendations

The following are our recommendations based on the research conducted in the Philippines:

Government / State must:

- Strictly implement national laws related to ICTs and VAW and review existing laws and how relevant they are to this day, e.g., the Anti-cybercrime law, specifically the vague provision on cybersex.
- Increase and strengthen collaboration with NGOs and various stakeholders to provide support to women victim-survivors of technology-related VAW.
- Develop mechanisms for referral to services, including legal support, and provide for women's economic needs, including skills trainings, decent jobs and livelihood opportunities.
- Address structural inequalities and root causes of VAW. Develop concrete programs to prevent sexual violence in cyberspace by harnessing ICT's potential to promote women's empowerment and human rights.
- Pour resources into the training of personnel assigned to investigate cybercrimes. At present, the women and children's protection desks which handle complaints do not have the capacity to investigate cases involving technology. The Anti-Cybercrime Groups have inadequate resources, limited personnel and are deployed only in a few regions in the country. They need to also keep up with the fast pace of technological change.
- Employ gender-sensitive practices in the handling of cases.

Internet intermediaries must:

- Demonstrate responsibility and accountability and be pro-active in providing services and responding to customers, especially those calling a hotline to complain. Put together a select staff who are knowledgeable and aware of issues and who can train customer service personnel to respond to complaints about online harassment and similar incidents.

- Take active steps to respond promptly to VAW reports. Provide greater transparency with regard to the complaints process and come up with clearer policies that respond to issues and cases being raised by women.

NGOs & Civil Society should:

- Conduct awareness raising activities on online violence among different groups. It is a known fact that technology-driven VAW is increasing, and yet there are those who are not aware of it or the harm it can cause.
- Help monitor the compliance of laws and policies. Make statements, take positions and report to authorities and other bodies about technology related VAW, e.g., take part in the crafting of shadow reports, for example to CEDAW or the ICCPR (International Covenant on Civil and Political Rights).
- Engage internet intermediaries, such as ISPs and telecommunication firms and make them aware of the many cases of technology-related VAW and how they can help prevent such crimes.

Women must:

- Increase their awareness of the existence of technology-driven violence and recognize that this emerging new form of violence is not something that is trivial, but one which actually causes harm.
- Know and use their rights. Know where they can report and who they can contact when experiencing technology-related violence.
- Protect and secure their privacy online. The matter of being photographed or filmed in compromising circumstances is a decision best left to the women. But when taking intimate photos and videos for personal use, best practices should be developed around keeping such photos and videos secure.

Areas for Further Research

Child cyber-pornography is an area that ought to be further studied. It is a serious and complex issue that goes beyond national borders. It is distinct from VAW but has the same elements such as sexual abuse, emotional and psychological violence. Citing statistics from the PNP and NBI, Justice Secretary Leila de Lima says online child abuse is the leading cybercrime in the Philippines. According to the police Anti-Cybercrime Group in Cebu, cyber-pornography continues to this day despite the exposes and local government initiatives to stop it.

In the Philippines, child cyber pornography emerges in the context of poverty, where it is seen as a means to earn some money to help boost the family's finances. It is mostly a small operation, sometimes a family operation where the parents operate the computer and deal with the clients through the internet. They pimp their own children, making them perform in front of webcams for clients overseas. When cases are filed against the perpetrators, laws on child pornography, human trafficking, and anti-VAWC are applied.

In future studies, the gender-specific dimensions of the issue can be further explored and best practices in cross-border cooperation on technology-related VAW should be laid out.

CASE SUMMARIES

An illicit video and one woman's brave battle for justice: The case of Ruby

Keywords: taking video without consent, publishing video without consent, sharing private information, verbal abuse, emotional harm, harm to reputation, invasion of privacy, YouTube, blogs, pornography websites, video, DVD, abuser is someone known, abuser is someone unknown, reported to law enforcement, investigation initiated, reported abuse to provider, intermediary liability law, women survivors of online violence, legislation

The Story and the Violence

Ruby is a model-actress, and brand endorser in the Philippines. Like many celebrities, Ruby sought cosmetic treatments, and in 2007, a man named Dr. Yu treated her at a well-known cosmetic clinic. Not long after, Ruby, then in her early 20's, and Yu became lovers. Like most secret loves, their affair was carried out in a hotel room. The relationship soon fizzled out, and in 2008, Ruby received a tip from a reporter: a sex video involving her and Yu would be released. Sure enough, in December 2008, four videos of Yu and Ruby depicting their time together at the hotel were published online. Subsequently, people began downloading the videos and selling them as DVDs. Ruby maintains that she was unaware she was being recorded, whereas Yu contends that she knew there was a camera, but he was not responsible for uploading the videos.

The videos went viral, and each time they were reposted, Ruby felt she was being violated again and again. Already labelled a "sexy actress" at the time, she faced acute harassment and verbal abuse online following the release of the videos. One commenter writes, "I really don't pity Ruby because she did it on herself...She gave a signal to the whole world that she's not the type of woman you will respect." At the time of their affair Yu was in a relationship with the owner of the cosmetic clinic, leaving others to believe that it was the owner and Yu who were the real victims. Another commenter states, "Don't you all think that she maliciously has done a great harm to her own gender ... Ruby is such a slut!"

Deeply pained following the wide circulation of the videos, Ruby was diagnosed with depression and had to undergo psychotherapy. She says, "I felt like I lost something – perhaps my confidence. For one year, I did not talk to people. I felt like there was nothing for me to say." Ruby felt deeply betrayed by Yu, whom she had once trusted. At the height of the video scandal, Ruby began losing modelling assignments and product endorsements. She says, "I had been working for five years and I did not expect to lose my job ... I just bought a house and I had to pay for the balance."

In addition to the four videos of Ruby, more sex videos featuring Yu and other women were uploaded as well. Ruby was the only one who took the case forward, however, instead of being lauded for her bravery, she was seen as airing her dirty laundry in public. Her privacy maliciously invaded, she continued to suffer from abusive comments online.

Seeking Justice

In May 2009, six months after the videos were made public, Ruby and her two lawyers filed a complaint with the National Bureau of Investigation, which recommended the case to the Department of Justice. A criminal case against Yu was filed in court under the Anti-Violence against Women and Children Act, charging the doctor with videotaping sexual intercourse and uploading the video without Ruby's consent. Simultaneously, Ruby filed a civil medical malpractice lawsuit against Yu, and a libel case against his mother for slanderous statements she made in a TV interview. In December 2009, the criminal court dismissed Ruby's case on the grounds that Ruby was aware she was being filmed, and that the uploading of the video could not be traced back to Yu. One possible reason for the dismissal was the absence of any legal provision for ICT-based violence against women at the time. This weakened Ruby's case. Furthermore, the accused was not required to testify, which Ruby believed biased the courts against her. However, in November that year, following Yu's suspension by the Philippine Medical Association, the Professional Regulations Commission revoked his medical licence, securing at least partial justice for Ruby.

In their attempts to discover who originally published the leaked video (it turned out that the clinic owner and others had access to Yu's hard drives), the NBI tracked down the first website that uploaded the video – *fleshasiadaily.com*, a porn site based in Cavite, a province on the southern edge of metropolitan Manila. The website owners claimed they received the videos from an unknown address, however, because intermediary liability law is unclear, they were not compelled to share the address with law enforcement agencies.

The most crucial and empowering element in Ruby's fight for justice was the support she received from her family, especially her then-estranged father, a friend who helped her with financial expenses, and perhaps most importantly, people from the acting industry who publicly supported her. One television executive was quoted as saying, "Her name may have been besmirched and her dignity as a woman maligned, but she still fought, and that is what is important." Another source of support for Ruby was a women's organisation, which provided her with counselling and allowed her to share her story with other women survivors of online violence. The support and strength of other women who could relate to her story made Ruby realise that "If (I did) not confront it now, it will hound (me) later." Alongside her family, friends and colleagues, two provinces in the Philippines declared Yu as persona non grata, giving Ruby further confidence to pursue justice. A demonstration of her resolve, Ruby was quoted as saying, "I intend to fight, win or lose. Whatever happens, at least I have fought for my rights. At least people are realising that what was done to me was wrong...if you keep quiet for life, more women will be victimised."

Hearteningly, Ruby's courage to speak and fight was not in vain. Just before Ruby filed her case, a Senator delivered a speech on the issue, and later that year, the Senate conducted a related inquiry. In the House of Representatives, one Congressman was quoted as saying, "If not for Ruby who fought for her right, people would not have noticed the importance of the law." The law he was referring to was still awaiting approval by the Senate, but by early 2010, the Anti-Photo and Video Voyeurism Act was signed into law. The background and battle for this legislation was a lengthy one comprising several cases and individuals, however, it is likely that Ruby's case was an important catalyst in the passing of the landmark legislation.

The videos went viral, and each time they were reposted, Ruby felt she was being violated again and again.

When nude photographs are non-consensually dragged into the limelight: The case of Martha

Keywords: nude photos in public domain, emotional harm, harm to reputation, invasion of privacy, Facebook, Twitter, Instagram, YouTube, Google, blogs, other social networks, abuser is unknown, reported to law enforcement, investigation initiated, dialogue with aggressor, public demand letter, reporting abuse to platform, platform takes action, sexual harassment

The Story and the Violence

Martha began her career in show business as a B-List actress in 1992, following which she was elected as a councilor in one of Metro Manila's cities. A mother of five, Martha has two sisters who are also in the acting industry, and all three of them have been embroiled in various media controversies over the past two decades. In 2013, at the height of a very public family feud that played out on social media - Twitter, Instagram and Facebook - two semi-nude photographs of Martha, then 39 years old, appeared as an Instagram page. Adding insult to injury, her children were tagged in the photographs. She never suspected her family, though the media was quick to speculate otherwise.

The photographs - one showing her right breast and another showing her legs spread wide open, exposing her black underwear - went viral online. A YouTube video containing the images was also created. There was a huge public outcry in which Martha was blamed for posing provocatively. She was chastised for behaving in a manner that was 'unbecoming' of a public official. One online comment read, "She is a public figure ... (in) the first place she shouldn't be doing that crazy thing...live with it. There is nothing you can do."

During the ordeal, Martha was very private about her feelings. It turned out she was deeply concerned about her children, who, as active users of social media, would no doubt have come across the slander being written about their mother. Well known in her community, Martha also began to have anxiety attacks in public spaces, so she tried to stay home as much as she could. It's evident that Martha's experience of this highly-visible invasion of her privacy was a traumatic one.

*Despite
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Seeking Justice

Accompanied by her attorney, Martha approached the Anti-Cybercrime Division of the National Bureau of Investigation (NBI), which had already identified two of the bloggers responsible for sharing the photographs – both were located outside the Philippines. However, Martha’s attorney immediately issued a public letter across social media and blogging platforms, warning that sharing the photographs was a direct violation of the Anti-Photo and Video Voyeurism Act of 2009 (passed in 2010). The letter reads, “Our client did not authorise the posting of her nude photos and they were never intended for public consumption.” The public demand letter was published by several news websites, and Martha’s attorney directly wrote to some of the concerned bloggers, as well as those responsible for creating the YouTube video. One blogger argued that the content was already in the public domain; however, the photographs were eventually removed.

Given that intermediaries often protect the identities of their users, and are not obliged by law to share information with local law enforcement agencies, it was interesting that both Google and Facebook took immediate action and removed pictures where possible. One Facebook user wrote, “I also posted on Facebook, but it was removed. I was even warned about it.”

Despite the success of the public letter, the perpetrators have not been found. There has been much media speculation, however, given that the photographs were reposted in so many places, pinpointing their origin remains difficult. This is further complicated by the fact that intermediaries often store aggregate data for only a limited period of time, which means that depending on the speed of the investigation, information about the origin of content may no longer exist. Moreover, there is uncertainty around intermediary liability, and it is likely that it was only due to Martha’s well-known public status that social media platforms responded swiftly to the lawyer’s demand letter.

As a well-connected, relatively privileged person, Martha was able to immediately contact a respected attorney to prevent the spread of the photographs. At that time, she was unaware her rights were being violated, and simply wanted people to stop sharing the photographs. But given that her attorney was highly qualified and experienced, steps were immediately taken to secure justice for Martha.

While it is true that the photographs have been taken down from several popular online platforms, the original perpetrators remain at large. For Martha, though, the case is closed. She says, "I'm not going to give anybody the power to do that to me (again)...Life has moved on. (The issue) is closed, very (much) closed."

Child pornography pays the bills in a small town in Cebu: The case of Cordova

Keywords: child pornography, exploitation of minors, taking video without consent, emotional harm, sexual harm, harm to reputation, trauma, poverty, social networks, online chats, dating websites, webcam, video, Internet café, abuser is known, family involvement, pornography dens, foreign clients, multiple victims, law enforcement, anonymity, NGO, state intervention

The Story and the Violence

The small town of Cordova in the Philippines has a population of less than 54,000 people, of which nearly 15% live in poverty. In the last few years, the town has come to be known as the 'cyber pornography capital' of the country, following several raids in which minor children being exploited for the purposes of cyber pornography were rescued by NGOs and law enforcement agencies. But the problem of child pornography isn't unique to Cordova, and this particular exploitation of minors is prevalent throughout the Philippines.

Child pornography takes place in one of three types of operations: family-run (involving parents or other relatives of the child), individual (where the transaction is negotiated by the minor and generally takes place in an Internet cafe or a private residence), and 'dens' (more organised, larger-scale operations involving the trafficking of children).

Customers of child pornography are oftentimes overseas foreigners who pay money to operators via money transfer companies. They engage in online sex shows, where they interact with and direct the children as they perform sex acts. These

interactions usually take place on online dating websites, public chat rooms, social networking sites, or adult webcam sites. Depending on the type of performance, operators can earn between USD 67 and USD 670 per session. The percentage of this money given to the child is considerably little, if any at all.

The harms experienced by children involved in these operations are numerous and their implications serious. First and foremost, operators of child pornography in the Philippines are oftentimes the parents of the young children, a situation that leads to abusive dynamics and confusing atmospheres in their homes. In order to “groom” them for performances, children are often made to watch various pornographic videos, which, as a psychologist from a women and children’s crisis center in Cebu City says, “leads to serious psychological disorders.” In 2013, the Dutch NGO Terre des Hommes said the children “reported feeling dirty, ashamed and embarrassed both during and after webcam sex performances.” They also expressed fear at the prospect of the images being stored in the Internet forever. The same report found that the children involved in the performances suffered from trauma, psychosocial stress, a feeling of betrayal, social stigmatisation, and a sense of powerlessness.

The grim and growing situation cannot be viewed in a vacuum. Poverty incidence in the Philippines during the first half of 2013 was at 24.9%, and has shown to be one of the biggest contributing factors to the growing child sex industry. Parents often look the other way, or else are actively involved in their children’s entrance into the online sex industry. In fact, the Terre des Hommes report finds that parents “often appeal to the child’s sense of duty to help the family...generate money to pay for bills, food, and school-related expenses.” All too often, children are not fully aware that they are being victimised, and worse, parents are unaware of the trauma their children endure because of their involvement in cyber-pornography.

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Seeking Justice

On their own, there is little chance for minors coerced into child pornography to access justice. However, the government, law enforcement agencies, and several NGOs have been working hard to curb these crimes. There are several existing laws that can be used for legal recourse. These include the Anti-Child Pornography Act, the Anti-Trafficking in Persons Act, and the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act. According to a lawyer working on the issue, many cases are filed at once under different laws, so that if one is dismissed, other laws can still be applied. However, there are several barriers that make this fight for justice exceedingly difficult.

For many families, child pornography is simply an extension of the ways in which they struggle to survive...

Firstly, given that families are often the principal operators of child pornography, gathering testimonies and witnesses is difficult, because children refuse to testify against their parents. Furthermore, in the Philippines, child pornography is an open secret that benefits various members of the community. From remittance centres to tricycle drivers who collect money for operators, an entire chain of potentially liable individuals and companies claim ignorance whilst benefiting from this exploitation.

When it comes to prosecuting cases of child cyber pornography, there is an uncertainty around intermediary liability given that there are many actors involved. Internet platforms where child sex performances take place may not have adequate monitoring systems. They either refuse to divulge information under their privacy policies, or store data for only a limited period of time to be useful for retrospective investigations. Furthermore, given that families, money transfer agencies, and several other individuals and companies are all involved, law enforcers may be uncertain about who to prosecute.

Because perpetrators are located in different countries, their anonymity complicates police investigations. The police themselves have insufficient training on cybercrimes to take cases forward. Recently, however, the US Department of Homeland Security pledged its assistance to the fight against child cyber pornography in the Philippines, which will make it easier to charge and arrest perpetrators in various countries in the future.

One of the most significant barriers to accessing justice and curbing the problem is that operators are always one step ahead of law enforcement agencies when it comes to technology. Even if arrests are made and operators are jailed, new operators very quickly replace them. By coordinating through mobile phones, child pornography dens are able to quickly shift location. Moreover, with increasing numbers of people having access to personal laptops, performances can take place in hotel rooms and other private locations that are difficult to trace.

In Cordova, it used to be easy to pinpoint who in the community have internet connections because there were antennas protruding from rooftops. Local authorities are said to have used them as leads in hunting down those engaged in cyber-pornography. Because of this, operators resorted to the use of broadband, which are indoors and difficult to detect from the outside.

But one only has to look at other tell-tale signs in the community to know where cyber-pornography might be taking place. There are visible changes in the economic status of the operator: a small hut gets a coat of paint or is transformed into a concrete structure.

It is crucial to view the rise of child cyber pornography in the context of extreme poverty in the Philippines in general and Cordova in particular. Most families have five to 10 members living in cramped quarters, and children often engage in work to help their parents make ends meet. For many families, child pornography is simply an extension of the ways in which they struggle to survive, and therefore, accessing justice will involve not just better laws, but deeper, socioeconomic shifts in power that could bring about better economic opportunities for impoverished communities.

Definition of Terms

Domestic legal remedy: This shall refer to the existence of laws addressing a particular harm/violation, the enforcement of said laws through investigation and prosecution, and the trial of the same through judicial processes. It shall likewise cover relief provided by the state, state laws, policy frameworks and justice mechanisms maintained or operated by the state and its agents, and other mechanisms where state authority is directly involved either in creation or administration.

Corporate remedy: This shall refer to remedies provided by Internet intermediaries, e.g. internet service providers, search engines and portals, data processing and web hosting providers and participative networked platforms such as complaint mechanisms, corporate user policies, etc.

Internet intermediaries: Internet intermediaries are the entities that bring together or facilitate transactions between third parties on the internet. They give access to, host, transmit and index content, products and services originated by third parties on the internet or provide internet-based services to third parties. Intermediaries are distinct from 'content producers', which are the individuals or organisations who are responsible for producing information and posting it online. For the purpose of this research, we are limiting our focus to the following internet intermediaries: internet service providers (ISPs), webhosting services, social networking sites, and telecommunications companies (particularly mobile network operators).

Protection order: Depending on the law of a particular country, it is an order issued in cases of VAW to safeguard/protect the woman from further harm
Restraining order: Depending on the law in a particular country, it is a general form of protection order or legal injunction that requires a certain person/party from doing certain acts

Legal processes: These refer to both events and actions that follow some prescribed procedure namely filing a formal complaint to the police or court, investigation and prosecution.

About FMA



The Foundation for Media Alternatives (FMA) is a non-profit service institution whose mission is to assist citizens and communities – especially civil society organizations (CSOs) and other development stakeholders – in their strategic and appropriate use of the various information and communications media for democratization and popular empowerment.

Since its formation in 1987, FMA has sought to enhance the popularization and social marketing of development-oriented issues and campaigns through media-related interventions, social communication projects and cultural work. In 1996, FMA streamlined its programs and services in both traditional and new media, with a major focus on information and communications technologies (ICTs), to enable communities to assert their communication rights and defend their rights to information and access to knowledge, towards progressive social transformation.

FMA seeks to develop programs and projects that strategically address the questions of access to and equity of disadvantaged sectors in the area of information and communications – and in locating the so-called digital divide within existing socio-political divides, including gender. These involve:

- Promoting equitable partnerships for innovating connectivity and community access alternatives to assert the agenda of disadvantaged communities,
- Facilitating capacity-building sessions for CSOs in the area of ICT literacy, information/communications/technology management, online collaboration/advocacy and secure online communications,
- Helping CSOs manage development content through appropriate tools and technologies towards building vibrant online communities and knowledge networks, and
- Enhancing multi-stakeholder consensus-building on strategic information and communication agendas, via action-oriented research, constituency-building and public advocacy.

About APC



The Association for Progressive Communications (APC) is an international network of civil society organisations (CSOs) dedicated to empowering and supporting people working for peace, human rights, development and protection of the environment through the strategic use of information and communication technologies (ICTs).

APC's work in women's rights and gender equality is done through its Women's Networking Support Programme (WNSP), a global network of women that has supported women's networking for social change and empowerment since 1993. Since 2005, APC WNSP has been working to understand and respond to the physical and policy environment of information and communication technologies and its impact on violence committed against women and girls. From 2009, with funding from the Dutch government's MDG3 Fund, it supported over 500 women's organisations that directly reached more than 500,000 women through a 12-country project in Africa, Asia and Latin America.

Through this experience, APC WNSP found that the incidence of technology-related violence against women (VAW) is increasing. The most common cases documented were cyberstalking, sexual harassment, surveillance and the unauthorized use and manipulation of personal information including images and videos. A major concern is that women and girls who fall victim do not know what to do to stop the abuse, what charges they can report, who they should report to, and what help they can get. In all of the 12 countries, policies, regulations or services that respond to these new forms of violence do not exist or are inadequate. It is urgent to formulate effective policies that protect the rights of individual users and develop remedies to the increasing incidence of technology-related VAW.

About the Research

The research is part of the “Ending violence: women’s rights and safety online” project being implemented from 2012-2015 by APC, with support from the Dutch government’s Funding Leadership Opportunities for Women (FLOW) programme. The project builds on APC’s experience in the anti-VAW struggle and existing partnerships to enhance women’s safety by preventing the incidence of technology-related VAW.

The research was carried out in collaboration with country partners in Mexico, Bosnia and Herzegovina, Colombia, Democratic Republic of Congo (DRC), Kenya, Pakistan, and the Philippines.

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

- Excerpt from the Final Document of the Commission on the Status of Women (CSW) 57



Ministry of Foreign Affairs

This research is part of the APC “End violence: Women’s rights and online safety” project funded by the Dutch Ministry of Foreign Affairs (DGIS) and is based on a strong alliance with partners in seven countries: Bosnia-Herzegovina, Colombia, Democratic Republic of Congo, Kenya, Mexico, Pakistan, and Philippines. For more information visit GenderIT.org and Take Back the Tech!