

POLICY
BRIEF

NOVEMBER 2023

**SILENCED VOICES:
TACKLING GENDERED
ONLINE VIOLENCE
AGAINST FEMINISTS**



GRUP DE RECERCA EN
GÈNERE, IDENTITAT I DIVERSITAT

EXECUTIVE SUMMARY

In the rapidly evolving digital landscape, women face disturbing manifestations of violence, with direct attacks across various platforms, also spilling into offline spaces. This violence does not only affect individuals but sends a broader message cautioning women to be vigilant and mute their voices. Perpetrators exploit technology to reach victims, revealing broader systemic issues underlying these digital offenses. Abuse is often based on intersectional discrimination including racism or LGBT-phobia. Gendered online violence has ramifications beyond the confines of virtual spaces, influencing the participation in public debate both online and offline.

This policy brief focuses on violence by unknown assailants against women with public profiles or who are engaged in activism, emphasizing its broader impact on women's participation in public debates. Framing this violence within a hate crime framework is a path forward to implement a multi-level response based on an understanding of this issue from a systemic perspective. This involves recognizing the nuanced impacts of this violence and putting into place a multi-level response.

Key Points from Women Activists' Experiences:

- Women anticipate online hate after public appearances, with media coverage triggering waves of abuse.
- Hate intensifies when addressing feminist issues, aiming to discredit and degrade feminists.
- Attacks often include explicit rape or death threats. Perpetrators may also share victims' content without consent, escalating the violation across various platforms.
- Attacks persist over time, with continuous streams of hate messages contributing to ongoing victimization.
- Attacks often originate from profiles with significant social media followings, exacerbating the impact. Perpetrators may also organize attacks, suggesting premeditated efforts, sometimes associated with political affiliations.

Understanding the Impacts:

- Tangible, embodied harm is inflicted, blurring boundaries between digital and non-digital realms.
- Frequency and magnitude of abuse exacerbates its impact.
- Importance of the collective impact, with a chilling effect on feminists and women with a public profile.
- Challenges of "Going Offline": Professional obligations hinder disconnection, and advocacy for it may risk exclusion from public discourse.

Main Policy Conclusions:

- Framing Online Violence Within a Hate Crime Framework: Recognize gendered online violence as a hate crime, understanding its structural roots and collective impacts.
- Multi-level Networked Response: Move beyond policing and criminal code, incorporating education, digital protection, and collaboration with social media platforms.
- Comprehensive Support for Targets: Provide legal, psychological, and tailored support to individuals targeted by online violence.
- Training for Professionals Needed: Equip professionals, including law enforcement, with skills and tools to address violence in digital spaces, emphasizing empathy and realistic advice.

Gendered Violence in Digital Spaces

In the rapidly evolving landscape of digital spaces, women collectively grapple with a disturbing manifestation of violence facilitated by technology. This violence encompasses direct attacks on individual women across various digital platforms. Analogous to physical hate crimes, verbal abuse not only impacts the targeted individual but sends a broader message to all women and those challenging traditional gender norms – cautioning them to be vigilant, mute their voices, and endure curtailed freedoms. Abuse is often based on intersectional discrimination such as misogyny combined with racism or LGBT-phobia.

Perpetrators of gender violence exploit technology to exert control over their victims. It is crucial to recognise these behaviors not as novel consequences of digital technologies, but rather as perpetuations of broader systemic issues. The tendency to focus on the technological aspect often obscures the broader structural challenges that underpin these issues. It is within this complex nexus of technology, societal norms, and gender inequality that effective policies must be formulated to confront and mitigate the multifaceted digital violence faced by women.

This policy brief focuses specifically on a distinct form of technological violence: assaults perpetrated by unknown assailants unrelated to the victim's personal or intimate circles, with a particular emphasis on violence directed at women with public profiles or engaged in activism.

This violence not only has deep impact on the individual, but also on the participation of women, and of a diversity of voices, in public debate. Gendered online violence has ramifications that extend beyond the confines of virtual spaces, influencing the participation in public debate and well-being of individuals both online and offline. Women targeted by this type of violence often fall into a protection gap, as the seriousness and impact of online violence tends to be downplayed. Further, women activists and women with a public profile are not included within the protection measures available for victims of gender violence, nor within those for victims of hate crime. They are left with a widespread feeling of impunity and an almost complete lack of protection by institutions and the wider society.

In the next sections, women's experiences of online violence are presented through key findings, followed by an overview of the impacts, and lastly, policy conclusions.

The information in this brief is based on research conducted within the project COME-ON: Analysing and combating online hate speech and gender-based discrimination from an intersectional perspective. In addition to a review of existing literature on the topic, the research included interviews with 10 women with a feminist profile, as well as analysis of 26 cases of gender-based online violence against women with public profiles collected through digital ethnography. In addition, interviews with 20 professionals have been conducted, including law enforcement, legal experts, as well as representatives from institutions and civil society organizations in the fields of feminism and LGBT+ issues.

Key Points from Women Activists' Experiences of Online Hate

Threats and Dehumanization

- Victims face explicit threats of rape, death, and dehumanizing comments that may include misogyny, racism and/or LGBT-phobia.
- Online attackers incite violence and engage in character assassination based on personal attributes.

Anticipation of Online Harassment

- Women anticipate and brace themselves for online hate after public appearances.
- Media coverage, such as TV interviews, triggers expected waves of online abuse.

Targeting Feminist Discourse

- Hate intensifies when addressing feminist issues, leading to preemptive hate messages.
- Perpetrators aim to discredit and degrade feminists, viewing feminism as a setback.

Persistent and Continuous Harassment

- Attacks are not isolated incidents but persist over time.
- Continuous streams of hate messages contribute to ongoing victimization.

Personal Violation through Content Sharing

- Perpetrators share victims' content without consent, escalating the violation across platforms.
- Online content created by feminists, including videos, is disseminated and used as content to ridicule feminists on other platforms, causing distress.

Organized Attacks by Influential Profiles

- Attacks often originate from profiles with significant social media followings.
- Coordinated efforts by organized groups, sometimes associated with political affiliations, exacerbate the impact and perpetuate harassment.

Women who face online hate encounter a multifaceted challenge characterised by the targeted nature of attacks, the organized orchestration of harassment, and the persistent, continuous nature of the abuse. This underscores the need for comprehensive policies and interventions addressing both the immediate and the systemic aspects of online hate that targets women.

Impact of Online Violence on Victims and Strategies for Response

Tangible Harm and Diverse Repercussions on Well-being

- Emotional and physical impact: Victims of online violence experience a broad spectrum of repercussions affecting both emotional and physical well-being.
- Digital to physical impact: Targets stress the tangible harm inflicted by online violence, emphasizing the blurring boundary between the digital and non-virtual realms.

Impact on Behaviour and Interactions

- Security concerns: The sense of online security is compromised, impacting victims' behaviour and interaction not only in digital spaces, but also in the non-digital realm.
- Frequency and scale of abuse exacerbates its impact: It is not only the sustained nature but also the scale of attacks that wield substantial impact on victims.

Impact Beyond Digital Spaces

- Trigger events across the online and the offline: Online hate speech is triggered by women's participation both on social media and in traditional media, and affects both online and offline participation and well-being.
- Infeasible advice: Advice for victims to "go offline" is not feasible, risking isolation, exclusion, and hindering diverse perspectives in public discourse. Some cannot afford to disconnect due to professional obligations, with online presence intricately tied to visibility and opportunities.

Collective Impact

- Chilling effect: Harm is caused not only to the individual under attack, but the violence may have a chilling effect on other women with a feminist or public profile
- Being on guard: Online attacks force women to be on constant guard, alter their behaviour, self-censor, and potentially withdraw from online and offline participation in public debate.

Lack of Institutional Support and Feeling of Impunity

- Lack of trust in the police: Targets believe that reporting to the police would yield no tangible outcomes and that law enforcement might not take their reports seriously.
- Lack of trust in platforms: Reporting to platforms is perceived as fruitless.
- Reliance on self-protection: Victims are left with a sense of impunity, with the perception that their primary recourse lies in self-protection measures and mutual support networks.

There is a need for policies that address and rectify systemic shortcomings in the reporting and response mechanisms, ensuring that victims can seek justice without encountering skepticism.

Addressing Gendered Violence Within a Hate Crime Framework

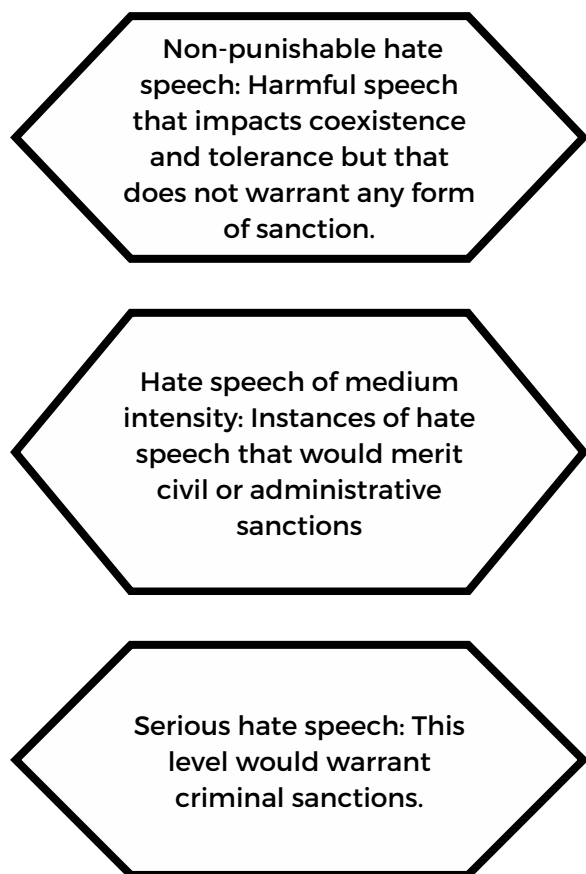
Experts interviewed in the research that underlies this policy brief emphasize the fragmented nature of the legal framework addressing online gendered violence by unknown perpetrators. Notably, the gender-based motivation often goes unrecognized. On the one hand, this is attributed to the narrow scope of the legal framework on gender violence in Spain, which focuses on intimate partner violence. On the other hand, whilst the criminal code acknowledges amongst its aggravating circumstances gender, sex, sexual orientation, and sexual identity, gender-based hate crimes do not tend to be acknowledged as such. There are also challenges in effectively addressing the complex intersectionality of prejudice, such as racism or LGBT-phobia, faced by victims of gendered violence.

Addressing this issue does not necessarily require the introduction of new laws; rather, it calls for a more effective utilization of existing legal provisions and increased awareness regarding the applicable legal tools. Ensuring a comprehensive understanding of the existing legal landscape and encouraging its proficient application can significantly enhance the legal response to gender-based online violence, fostering a more resilient and protective environment for potential victims. Consequently, policies should prioritize initiatives aimed at maximizing the efficacy of current legal instruments and raising awareness among relevant stakeholders.

Despite recent efforts by organizations such as ODIHR (2021) in recognizing gender-based violence within a hate crime framework, there is still little uptake in policy and in practice. Gender-based hate crimes target individuals, property, or associations based on perceived or actual gender, often stemming from the perpetrator's perceptions of gender norms. The victims may be targeted due to perceived deviations from these norms, including factors such as sexual orientation, gender identity, or involvement in feminist activism. As hate crimes are mechanisms of power and oppression, the symbolic acts of hate are interchangeable, making the specific identity of the victim inconsequential. At the same time, the impact on the individual victim remains profound, whilst at the community level a chilling effect may be produced.

Analysing online gendered violence from a hate crime perspective presents an opportunity to document and address existing crimes under a different lens, ushering in a transformative shift in how these incidents are perceived and framed by society. If hate crime is considered a "message crime", designed to communicate a message to the targeted group, the framework governing the identification and response to such behaviors holds a potent symbolic role in defining societal norms.

Not all behaviours call for a criminal sanction. The digital behaviors delineated in this policy brief encompass a spectrum of harms, ranging from those that qualify as criminal offenses to those falling within the realm of noncriminal wrongs. Serra (2018) proposes a categorization of hate speech into three levels:



A comprehensive approach to addressing online violence calls for alternative responses beyond criminal sanctions, especially for less severe incidents. Traditional 'offline' offenses like stalking and threats to cause serious harm can be pursued and prosecuted under existing criminal legislation, irrespective of the technological dimension involved in their commission. Similarly, other harms can be addressed through civil laws such as copyright, defamation, tort, or privacy legislation. Sexual harassment may be addressed under anti-discrimination legislation, albeit often within specified areas of public life like the workplace or educational settings.

It is noteworthy that certain behaviors may not neatly fit within the confines of either criminal or civil laws. This recognition underscores the imperative for policy interventions that encompass a nuanced understanding of the diverse nature of online harms, ensuring that responses are tailored to the specificities of each case.

A holistic approach should explore and develop mechanisms that go beyond criminal justice responses, embracing civil and administrative remedies, as well as better coordination with social media platform operators to comprehensively address the spectrum of abusive digital behaviors.

Policy Conclusions for Addressing Gendered Online Violence

Framing within a Hate Crime Framework:

- Understanding structural roots: Framing gendered online violence within a hate crime framework is useful for recognising its structural roots, addressing its collective silencing impacts, and its oftentimes intersectional grounds.
- Beyond criminal definitions: Acknowledge that different incidents may be experienced as violence, even if not defined as offenses by the criminal code.

Multi-level Networked Response:

- Beyond policing and criminal code: Establish a multi-level networked response that transcends reliance solely on policing and the criminal code.
- Diverse resources and strategies: Include education, awareness-raising, digital protection measures, and collaboration with social media platforms in the response strategy.

Comprehensive Support for Targets from a Victim-Centered Approach:

- Legal and psychological support: There is a need to provide different types of support for individuals targeted by online violence, encompassing legal and psychological assistance.
- Tailored assistance: Recognize the diverse needs of targets and offer support that is tailored to their specific circumstances.

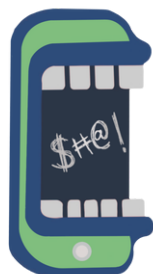
Equipping Professionals with Knowledge and Skills

- Knowledge and training: Equip professionals and practitioners with sufficient technical knowledge on digital protection measures, as well as continuous training to keep up with the rapid changes in the digital landscape.
- Understanding collective impacts: Emphasize the importance of understanding the collective impacts as well as the interconnections between different attacks against an individual.
- Realistic advice: Provide realistic advice that acknowledges the impact and seriousness of online violence, avoiding dismissal due to its virtual nature. Avoid advocating a simplistic "go offline" approach to combat online violence. Instead, prioritize comprehensive protection mechanisms, acknowledging that withdrawal from digital spaces risks isolating victims, undermining professional careers and excluding perspectives from public discourse.

FOR MORE INFORMATION

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