

Addressing Technology-Facilitated Gender-Based Violence against Roma Women



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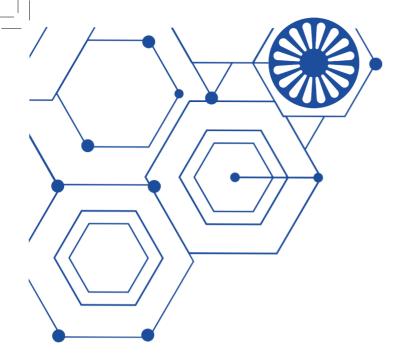
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## <u>, ABOUT</u>



The Feminist Collective of Romani Gender Experts was founded in October 2022 by a group of passionate Roma women dedicated to advancing gender equality and amplifying the voices of Roma women. Born from a shared experience of marginalization in high-level discussions about Roma women issues, the Collective seeks to challenge the systemic barriers that hinder Roma women's professional opportunities.

By fostering a professional network, the Collective connects Roma gender experts, promoting collaboration and knowledge sharing. We are committed to addressing the inequalities of racism, sexism, and classism that Roma women face, ensuring that their expertise is recognized and valued. Together, we strive to reshape narratives, influence local decision-making, and empower Roma women to lead the change they wish to see in their communities.

When we unite, we can create a powerful feminist agenda that champions the rights and voices of Romani women everywhere!

## THE CO-AUTHORS

### Miljana Čabrilovski

Miljana Čabrilovski, hailing from Serbia, is a distinguished Anthropologist with a Master's degree in Human Rights. Her expertise lies in minority rights, with a particular focus on Roma rights and women's rights. With extensive experience in both international and national organizations, she is dedicated to advocating for marginalized communities and promoting equality through research, policy analysis, training, and campaigns. Her work encompasses a strong commitment to sustainability and Environmental, Social, and Governance (ESG) principles, aiming to create inclusive frameworks that empower diverse voices. Driven by a passion for social change, Miljana actively participates in research and advocacy efforts that promote human rights and contribute to a more equitable world.

#### Marina Csikós

Marina Csikós is a dedicated Roma feminist and gender equality professional. Born and raised in Hungary, she is passionate about social justice. Marina holds a master's degree in Critical Gender Studies from Central European University, where she focused on intersectional justice and feminist knowledge production. Throughout her career, she has collaborated with impactful feminist initiatives, intergovernmental institutions, and civil society organizations to amplify feminist values and address the discrimination faced by marginalized women and girls. She is also the co-founder of the Feminist Collective of Romani Gender Experts, connecting Roma gender equality professionals to produce expert knowledge on gender issues.

### 1. Introduction

Gender-based violence (GBV) has long been a focus of academia, civil society, and policy, with numerous reports and research highlighting its serious and damaging impact on women and girls worldwide. Such research and publication have significantly contributed to raising awareness and driving policy changes to protect and empower women. However, a critical gap lays in the research and literature—specifically, the experiences of Roma¹ women, particularly in the context of technology-facilitated gender-based violence (TFGBV). This gap is an underlying symptom of a broader marginalization of Roma communities in our societies, but also within academic and policy-making areas as well. It also underscores the urgent need for more inclusive research practices and targeted interventions that address the unique challenges faced by Roma women in the digital age.

TFGBV presents a growing threat in an increasingly connected world, where the digital divide exacerbates existing inequalities, such as lack of access to education, quality employment and so on. For Roma and other racialized women such as women of African descent, Muslim women, Asian women, Jewish women etc., who often face intersectional discrimination due to their ethnicity, gender, and socio-economic status, the intersection of these factors with digital marginalization places them at heightened risk. Despite this, the specific experiences of Roma women in relation to TFGBV remain under-researched and poorly understood within both the majority but also in Romani knowledge production. This lack of attention not only perpetuates their marginalization but also limits the effectiveness of any interventions aimed at addressing GBV(online or offline) within these communities. To truly tackle TFGBV, research must adopt an intersectional approach that takes into account the specific experiences of Roma women and the socio-economic and digital barriers they encounter.

In this context, the work of the Feminist Collective of Romani Gender Experts emerges as particularly crucial. For our Collective, engaging in research and advocacy on TFGBV and the experiences of Roma women transcends doing another research; it is an essential step toward achieving social justice and empowering Roma women. Therefore, in this research we aim to discuss some of the main challenges Roma women face when it comes to TFGBV. Through discussions with Roma women themselves, we can understand how they experienced TFGBV and how they addressed it either in their professional and/or their personal lives. Moreover, due to the lack of policy research and actions that could address the specific needs of Roma women and girls, through a critical feminist perspective, the paper also aims to analyze main European-level policy developments and documents in the topic of technology-facilitated gender-based violence.

By focusing on the specific challenges faced by Roma women, the collective plays a pivotal role in filling the existing research gap and driving the development of targeted, culturally sensitive interventions. Their involvement ensures that research is not only informed by the lived experiences of Roma women but also that it challenges and decolonizes traditional knowledge production practices that have historically excluded or misrepresented Roma women's expe-

<sup>1.</sup> The term "Roma" used at the Council of Europe refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as Gypsies.

riences. Through their efforts, the collective contributes to the creation of more equitable and effective solutions that resonate with the realities of Roma women, ultimately paving the way for their greater empowerment and inclusion in society.

## 2. The Digital Face of Gender-Based Violence: Technology and Intersectionality

Gender-based violence (GBV) has been a persistent issue across societies and cultures throughout history. Traditionally, GBV has manifested in physical, sexual, and psychological forms, deeply rooted in patriarchal structures that perpetuate gender inequality. Historically, women have been subjugated through systemic violence, used as a tool to maintain male dominance and control. This systemic oppression has been reinforced through legal, religious, and cultural norms that condone or overlook violence against women<sup>2</sup>.

Digital technologies and social media platforms have led to a significant increase in what is known as technology-facilitated gender-based violence (TFGBV) against women and girls. This phenomenon, often referred to in the literature as cyberviolence against women and girls (VAWG), extends traditional forms of gender-based violence into the digital sphere. It is characterized by various forms of abuse such as cyberstalking, non-consensual distribution of intimate images, online harassment, and more. The COVID-19 pandemic has exacerbated these issues, highlighting the urgent need for comprehensive legal frameworks and interventions to address and mitigate TFGBV effectively<sup>3</sup>.

TFGBV encompasses a wide range of abusive behaviors facilitated by information and communication technologies (ICTs). These behaviors include cyberstalking, which involves persistent and unwanted surveillance of an individual's online activity, often by an intimate partner or ex-partner. Non-consensual sharing of intimate images involves the distribution of private, sexual images without the individual's consent, aiming to shame and humiliate the victim. Online harassment includes the use of digital platforms to send threatening or abusive messages, engage in character assassination, or otherwise intimidate the victim. Sextortion involves coercing someone into performing sexual acts or providing sexual images under the threat of exposing their private information.

The impact of TFGBV is profound and multifaceted. Psychologically, victims often experience significant emotional distress, including anxiety, depression, and, in severe cases, suicidal tendencies. The emotional toll of TFGBV can lead to long-term psychological trauma, undermining the victim's sense of safety and self-worth. Socially, the prevalent nature of online abuse can isolate victims, as they may withdraw from online and offline social interactions to

<sup>2.</sup> Bunch, C. (1990). Women's rights as human rights: Toward a re-vision of human rights. Human Rights Quarterly, 12(4), 486-498

<sup>3.</sup> Allen, Asha. "An Intersectional Lens on Online Gender Based Violence and the Digital Services Act." Verfassungsblog, 01 November 2022. DOI: 10.17176/20221101-215626-0. Available at: https://verfassungsblog.de/dsa-intersectional/

avoid further victimization. This isolation can extend to professional environments, where victims might be compelled to leave their jobs or find new employment to escape the reach of their abusers. Economically, TFGBV can have devastating consequences, particularly when abusive content damages the victim's professional reputation or leads to job loss.

The COVID-19 pandemic has intensified the prevalence and severity of TFGBV. Lock-downs and social distancing measures have increased the time individuals spend online, thereby providing more opportunities for abusers to target women and girls. Reports indicate a significant rise in online abuse and bullying during the pandemic, underscoring the need for urgent measures to protect vulnerable populations. The pandemic has also highlighted existing inequalities, as women and girls already facing marginalization are disproportionately affected by TFGBV<sup>4</sup>.

When examining how intersectionality is addressed in TFGBV (Tackling Gender-Based Violence) research, it becomes evident that studies focusing on the experiences of racialized women, LGBTQ+ individuals, and women living with disabilities are significantly fewer compared to research on their white, able-bodied, and cis-hetero counterparts. While the current research specifically focuses on the experiences of Roma women and girls, we acknowledge the considerable intersections between the experiences of Roma women and those of other marginalized groups, such as Black women, women of African descent, Asian women, Muslim women, and others.

Due to the systemic nature of racism and racial domination, these communities experience similar forms of marginalization and discrimination as Roma women. However, it is crucial to recognize that while there are parallels in how racism affects these groups, there are also distinct differences that shape their unique experiences with both racism and TFGBV. These differences highlight the importance of nuanced and intersectional approaches in addressing gender-based violence across diverse racialized communities.

Given that this research is specifically centered on Roma women and girls, and considering the expertise within our Collective, we have chosen not to extend our scope to the experiences of other racialized women in this study. We acknowledge that this limitation leaves space for further exploration, particularly in understanding how Black, Asian, Muslim, and disabled women are affected by TFGBV. We hope future research will involve collaborations with scholars and communities who possess the necessary expertise to deepen our understanding of these intersections.

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<sup>4.</sup> Almenar, Roser. "Cyber Violence Against Women and Girls: Gender-based Violence in the Digital Age and Future Challenges as a Consequence of Covid-19." Trento Student Law Review, Vol. 3.1, 2021.

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## 3. The Intersection of Digital Gender-Based Violence and the Lives of Roma Women

As it was mentioned earlier, Roma women face a unique intersection of discrimination based on their ethnicity, gender, and socio-economic status. Studies have shown that Roma women are particularly vulnerable to GBV, both within their communities and from the broader society. This vulnerability is compounded by factors such as poverty, lack of education, and limited access to healthcare and social services<sup>5</sup>.

In the context of TFGBV, Roma women face additional challenges. The digital divide is pronounced in many Roma communities, with limited access to technology and digital literacy resources. This digital exclusion makes Roma women particularly vulnerable to TFGBV, as they may have limited means to protect themselves online or seek help. Furthermore, the socio-economic challenges faced by Roma women, including high unemployment rates and limited access to education, exacerbate their vulnerability to digital forms of violence<sup>6</sup>.

Cultural norms can also perpetuate GBV and hinder efforts to address TFGBV. Patriarchal norms and traditional gender roles may limit Roma women's autonomy and reinforce their

<sup>5.</sup> Kocze, A. (2012). Roma women in Europe: Struggles, mobilization, and challenges. European Roma Rights Centre. 6. Kocze, A., & Raluca, M. P. (2014). Missing intersectionality: Race/ethnicity, gender, and class in current research and policies on Romani women in Europe. Central European University.

marginalization. Additionally, victim-blaming attitudes and stigma associated with GBV can discourage Roma women from reporting abuse and seeking support. These cultural barriers highlight the need for culturally sensitive interventions that address the specific needs and experiences of Roma women<sup>7</sup>.

Efforts to address TFGBV among Roma women must consider these unique challenges and adopt an intersectional approach. Policies and interventions should be designed to bridge the digital divide, enhance digital literacy, and provide targeted support to Roma women facing TFGBV. This includes culturally sensitive education campaigns, accessible reporting mechanisms, and support services tailored to the unique challenges faced by Roma women<sup>8</sup>.

In order to understand more deeply the experiences of Roma women regarding TFGBV and how they navigate the intersection of race, gender, age etc., we talked with 5 Roma and Sinti women. During these semi-structured discussions, we asked them a range of questions about their either personal and/or professional experiences with TFGBV, and how this issue is addressed in their communities, national and European levels. These discussions helped us to see different aspects of TFGBV and how specifically affects Roma women and girls, the possible challenges when addressing it at a personal, communal but also policy levels. Since TFGBV is still a barely discussed topic and there is a lack of awareness about it, our attempts to collect information via survey and interviews unfortunately were not successful. In the process we also realized that there is a huge gap in terms of accessing information about TFGBV and most of the young but also older Roma women and girls we reached out to did not really know much about TFGBV. Of course, lack of opportunities of accessing information is just one segment of the issue. Due to the everyday and systemic oppression that Roma women and girls face since their childhood, they are more "conditioned" to internalize violence. Meaning that violence becomes an integral part of their lives, and they are less likely to recognize when they are being abused, controlled, threatened by men and boys. Of course, it is not only true for Roma women, racialized women, LBTIQ women, women living with disabilities, poor and homeless women, etc. are also more likely face violence in their lives, which may lead to internalizing violence.

The interviews with Roma women, as analyzed in this context, provide a rich, complex, and deeply personal understanding of the challenges they face due to technology-facilitated gender-based violence (TFGBV). These insights draw from both the broader experiences of Roma communities and the unique perspectives of those who have directly engaged in the research and activism, particularly as outlined by Roxanna-Lorraine Witt, Chair of save space e.V., and the organization's extensive work.

<sup>7.</sup> Jovanović, J. (2016). Roma women and violence: Challenges and opportunities. Journal of Human Rights Practice, 8(2), 232-253.

<sup>8.</sup> Matache, M.. (2014). The deficit of EU democracy: A failure to protect Roma rights. Human Roghts Quarterly, 36(2), 325-350

## 3.1. Intersectional Marginalization: Navigating Race, Gender, and Online Oppression

The concept of double marginalization emerges prominently in the narratives of Roma women. They describe how they are subjected to both racial and gender-based prejudices, exacerbated by their online presence. This dual burden of discrimination often manifests in digital spaces where Roma women are hyper-visible yet profoundly vulnerable. The intersection of their ethnic identity and gender roles subjects them to criticism not only from non-Roma society but also from within their communities. As Roxanna-Lorraine Witt<sup>9</sup> notes, this compounded oppression creates a particularly hostile environment where Roma women are constantly monitored and judged, both online and offline. Therefore, the online spaces almost act like an expanded reality and experiences of intersectional oppression, that Roma women and girls go through both in their everyday lives but also systematically in the societies. While many people look at social media and the online spaces as a space for hiding and "safety", those Roma women and girls who decide to undertake their Roma, women, LBTI, etc. identities face very similar violence and discrimination to what they already may experience in offline spaces as well. Therefore, enjoying the "safety of online world" is unfortunately an unachievable desire for racialized. Muslim, poor and other marginalized women and communities.

Another key insight is that Roma women are often unfairly seen as representatives of their entire ethnic group, with any perceived deviation from societal norms leading to disproportionate scrutiny. Generalization and scapegoating of racialized communities are not only an issue that they face in schools, streets, institutions, etc. but it follows them to social media and other online platforms as well. When a community is already been wrongly accused of certain negative socio-economic, security, health-related developments, it is more likely that these communities will face hate speech and violence online as well. A great example for this is for instance when Roma people were wrongly accused of bringing and spreading the Covid-19 virus in Europe. In several European countries, including Hungary<sup>10</sup>, Slovakia<sup>11</sup> and Bulgaria<sup>12</sup> Roma people have been accused of ridiculous accusation regarding the global pandemia which is of course was rooted in historical antigypsyism and anti-Roma racism<sup>13</sup>. Since during the Covid-19 pandemic whole societies were forced to spend most of their times at home and using social media and online communication platforms became more and more frequent. Consequently, marginalized communities, including Roma, have been experiencing online hate speech and TFGBV in a intensified level.

<sup>9.</sup> Roxanna-Lorraine Witt requested that her name and organization be explicitly cited, while the other participants in the interview remain unnamed.

<sup>10.</sup> Minority Rights Group International. (2021). Roma in Hungary: A community in crisis. <a href="https://minorityrights.org/app/uploads/2023/12/mrg-rep-romahung-en-mar21-e.pdf">https://minorityrights.org/app/uploads/2023/12/mrg-rep-romahung-en-mar21-e.pdf</a>

<sup>11.</sup> Fauci, A. S., Lane, H. C., & Redfield, R. R. (2020). Covid-19 - Navigating the Uncharted. The New England Journal of Medicine, 382(13), 1268-1269. https://doi.org/10.1056/NEJMe2002387

<sup>12.</sup> Roth, A. (2020, July 6). The Roma, Already Scorned, Are Hard Hit by Coronavirus in Bulgaria. The New York Times. <a href="https://www.nytimes.com/2020/07/06/world/europe/coronavirus-roma-bulgaria.html">https://www.nytimes.com/2020/07/06/world/europe/coronavirus-roma-bulgaria.html</a>

<sup>13.</sup> Fundación Secreteriado Gitano. The Covid-19 crisis and Anti-Roma hate speech.2021.

## 3.2. Locked Out: The Digital Divide and Roma Women's Vulnerability to TFGBV

The issue of digital exclusion is a critical concern highlighted by the interviewees. Many Roma women and girls lack the necessary digital literacy to protect themselves in online environments, making them especially susceptible to TFGBV<sup>14</sup>. The limited access to technology, coupled with socio-economic disadvantages, further isolates them, preventing effective participation in both digital and physical spaces.

Roxanna-Lorraine Witt's organization has emphasized the importance of addressing this digital divide, noting that many Roma women are unaware of the resources available to combat TFGBV. This lack of knowledge is not merely an informational gap but a significant factor that heightens their vulnerability to digital abuse. The interviews reveal that the digital divide does more than exclude; it silences and disempowers Roma women, forcing them into a position where their voices are rarely heard or considered in discussions about online safety and rights. It is also important to mention, that reporting hate speech and violence on social media platforms (such as Facebook, Instagram, WhatsApp, etc.) is not necessarily the most user friendly. It takes several steps to report such violence, especially to those who lack digital literacy. It is not enough to have a smartphone and know how to play music on it, send messages, watch videos etc. but women and girls need to have the specific skills to protect themselves against gender-based violence. Without this crucial awareness-raising and skills-building Roma women and girls are more subjected to violence.

## 3.3. The Silent Toll: Emotional and Psychological Effects of TFGBV on Roma Women

The emotional and psychological toll of TFGBV on Roma women is substantial and deeply concerning. The interviews provide first-hand accounts of how online abuse leads to feelings of isolation, fear, and self-blame. Roxanna-Lorraine Witt, drawing on work of save space e.V., underscores how patriarchal conditioning within Roma exacerbates these feelings, causing women to internalize the violence they face.

One particularly poignant insight from the interviews is how this internalization leads to a spiral of exclusion and loneliness. The repeated online attacks push these women to withdraw from both social and professional spaces, further entrenching their isolation. The psychological impact is compounded by the lack of formal support systems, as many women do not seek help due to mistrust in authorities or because they believe they will not be taken seriously. Of course, not trusting in institutions is not only a result of sexism and misogyny, but also the direct effect of institutional racism. Such happenings as the Roma being "handed over" to Nazi soldiers during the WWII and then being killed or deported to death camps, Roma women being forced sterilized without their consents, police brutalities, etc. all have contributed to the current mistrust in institutions.

<sup>14.</sup> Helsinki Deaconess Institute. (2023). Survey Finds Substantial Digital Exclusion Among Roma Youths. <a href="https://www.hdl.fi/en/blog/survey-finds-substantial-digital-exclusion-among-roma-youths/">https://www.hdl.fi/en/blog/survey-finds-substantial-digital-exclusion-among-roma-youths/</a>

## 3.4. Resilience and Resistance: Informal Networks and the Power of Solidarity

Despite the lack of formal support, the interviews highlight the role of informal community networks in providing emotional and practical assistance. Roxanna-Lorraine Witt's work with save space e.V. has shown that solidarity among Roma women is a crucial resource. These networks offer not just support but also a sense of belonging and safety in an otherwise hostile environment.

However, relying on informal networks has its own limitations. While they provide crucial emotional support, these networks are often unable to address the systemic issues underlying TFGBV. The interviews suggest that the absence of robust formal support structures leaves Roma women vulnerable to continued abuse, perpetuating their marginalization. This of course has many reasons. First of all, there is only a thin layer of the civil society in Europe which acknowledges or aware of the growing need to tackle TFGBV. Digitalization itself if quite a new topic in not only in civil society but also in policy making as well. Secondly, even though gender-based violence is recognized for many years as a crucial societal and political issue, it is still a topic which not too many Roma organizations, Roma scholars and professionals are dedicated to work with. Many Roma feminists for instance rejected or even scared to discussed gender-based violence, due to the fact that GBV is often wrongly linked to Roma culture. Because antigypsyism and anti-Roma racism also manifests to portray Roma men and boys as aggressive and inherently violent, in order to not reinforce narratives, many Roma feminist professionals decide not to engage in further discussions regarding GBV and consequently TFGBV. However, as our Collective also recognized, not talking about GBV and TFGBV will not unfortunately solve this huge issue that concerns thousands of Roma women and girls. Instead, we think that to discuss and research GBV and TFGBV we need to apply critical Roma feminist perspectives into our work.

### 3.5. Trapped by Poverty: The Economic Barriers to Escaping TFGBV

The interviews also highlighted the challenges that disadvantaged socio-economic background causes to Roma women victims. As Roma women and girls are still one of the poorest and oppressed groups of Europe, they struggle with economic challenges in reaching out to professional help when they become victims of TFGBV. In many cases in order to take legal actions when TFGBV happens, lawyer is needed to support the victim. In case the victim has no civil society help who has its own lawyer or works with pro bono lawyers, hiring a lawyer specializing in TFGBV can be real challenging to women who are already at the margin of the society. Therefore, the victims may remain in violent relationships and situations due to their lack of economic opportunities.

According to the interviewed women's observations, particularly their critical views on the handling of these issues by broader society and funders, underscore the need for a more nuanced understanding of the socio-economic factors that exacerbate Roma women's vulnerability to TFGBV. The economic challenges, such as poverty and limited access to education,

not only restrict Roma women's access to technology but also force them to prioritize survival over safety, trapping them in cycles of abuse with few options for escape.

The interviews highlight how these socio-economic disadvantages intersect with the digital divide, creating a situation where Roma women are disproportionately affected by TFGBV. The lack of awareness about digital rights and safety, coupled with economic dependency on digital platforms, makes them easy targets for online predators.

# 4. The Role of Policy Analysis in Addressing Technology-Facilitated Gender-Based Violence and Advancing Equity for Roma and Racialized Women

Policy analysis is a critical and systematic approach used in research to evaluate the design, implementation, and impact of policies. It examines how policies are formulated, the stakeholders involved, the goals they aim to achieve, and the real-world effects they produce. In a research context, policy analysis helps to critically assess whether policies are effective, equitable, and aligned with the needs of the communities they serve. For Roma and other racialized women professionals, involvement in policy analysis holds particular significance for a variety of reasons.

By identifying these issues, Roma and racialized women professionals can advocate for policies that advance social justice and equity. This results in more inclusive and representative policies that address the unique needs of their communities. Engaging in policy analysis empowers Roma and racialized women by providing them with the knowledge and skills to influence policy decisions. It fosters leadership within their communities and encourages greater participation in public life<sup>15</sup>. Ultimately, policy analysis is a powerful tool for Roma and racialized women professionals to drive meaningful change, advocate for their communities, and ensure that policies are fair, inclusive, and effective<sup>16</sup>.

The legal and policy recognition of the TFGBV is essential for safeguarding all affected individuals, particularly marginalized groups such as Romani women. This recognition, along with its effective implementation, is essential for ensuring equitable access to justice and support services. The EIGE report brings attention to the rise of 'a new era of gender-based violence<sup>17</sup>.' Extensive data consistently demonstrates that women and girls are frequently targeted: the research by the World Health Organization shows that one in three women will have experienced a form of violence in her lifetime, and despite the relatively new and growing phenomenon of cyber connectivity, it is estimated that one in ten women have already experienced a form of cyber violence since the age of 15<sup>18</sup>.

Furthermore, antigypsyism, sexism, and racism can manifest in laws related to cyber violence in various ways, often influencing how laws are framed, enforced, and experienced by

<sup>15.</sup> Boris, E. (2005). On the Importance of Naming: Gender, Race, and the Writing of Policy History. Journal of Policy History, 17(1), 72–92.

<sup>16.</sup> Ibid

<sup>17.</sup> European Institute for Gender Equality. (2022). Combating cyber violence against women and girls.

<sup>18.</sup> ibid.

different communities<sup>19</sup>. These issues should be examined from multiple perspectives, including bias in legislation, intersectionality, insufficient reporting and limited legal remedies, accessibility of resources and lack of representation. Addressing the complexities of gender-based violence requires a concerted effort to develop legal frameworks that reflect the diverse experiences of all individuals, particularly those from marginalized communities. It is essential to ensure that enforcement mechanisms are not only effective but also fair and equitable.

### 4.1. Legal Aspects and Policy Responses to Gender-Based Cyber Violence

The following section will outline how European legal and policy frameworks have acknowledged and defined these critical issues. Legislation plays a pivotal role in challenging and dismantling patriarchal structures by addressing existing gender disparities and promoting the advancement of women's rights. Despite the availability of existing policy tools, there is a notable deficiency in the consideration of ethnicity, gender, and socio-economic status within these frameworks.



### Cyber gender-based violence is defined in 2020, by <u>European Commission</u>, through the Advisory Committee on Equal Opportunities for Women and Men:

'Cyber-violence against women is an act of gender-based violence perpetrated directly or indirectly through information and communication technologies that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women and girls, including threats of such acts, whether occurring in public or private life, or hindrances to the use of their fundamental rights and freedoms. Cyber-violence against women is not limited to but includes violations of privacy, stalking, harassment, gender-based hate speech, personal content sharing without consent, image-based sexual abuse, hacking, identity theft, and direct violence. Cyber-violence is part of the continuum of violence against women: it does not exist in a vacuum; rather, it both stems from and sustains multiple forms of offline violence.<sup>20</sup>

Moreover, the European legal framework frames cyber gender-based violence as part of a wider initiative to address gender-based violence. Several legal instruments detail the key definitions and provisions related to this issue.

The Council of Europe defines digital gender-based violence through various frameworks and documents, with a focus on the Istanbul Convention. These Conventions have wider application: 46 countries are members of the Council of Europe (CoE), which promotes the widespread application of ratified conventions and necessitates their enforcement within national legal systems.

The conventions, guidelines, and codes of conduct serve as non-binding soft law tools. Soft law tools are important for addressing gender-based violence. Unlike binding laws, the-

<sup>19.</sup> Barker, K., & Jurasz, O. (2022). Online violence: a blanket of digital sexism? In Springer eBooks (pp. 239–278). https://doi.org/10.1007/978-3-030-99375-7\_6

European Commission. Advisory Committee on Equal Opportunities for Women and Men Opinion on the prevention of gender- based violence and domestic violence. (2023).

se non-enforceable mechanisms promote dialogue, best practices, and collaboration among stakeholders. They offer flexibility to incorporate diverse perspectives, especially from marginalized communities. By creating normative frameworks, soft law can shape behavior and foster accountability, thereby complementing formal legal structures. Ultimately, these tools enhance the effectiveness of legal measures by raising awareness and encouraging proactive engagement in combating gender-based violence.

The Istanbul Convention<sup>21</sup>, formally known as the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, is a landmark treaty aimed at preventing and combating violence against women and domestic violence. Opened for signature in 2011 in Istanbul, Turkey, the Convention sets comprehensive standards for member states to protect women from violence, ensure their rights, and hold perpetrators accountable.

The Istanbul Convention in Article 3 stipulates that violence against women *can include* any act of gender-motivated violence that results in physical, sexual, psychological, or economic harm or suffering to women.<sup>22</sup>

This includes threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. The convention requires member states to adopt comprehensive policies addressing digital violence as part of their obligations to combat all forms of violence against women.

The recommendations issued by the **Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**<sup>23</sup> provide crucial guidance for member states in combating digital violence against women. GREVIO not only advises on the implementation of effective measures but also oversees the enforcement of the Istanbul Convention, ensuring that its provisions related to digital violence are upheld. Additionally, GREVIO produces comprehensive reports assessing member states' adherence to the Convention. The foundational principles of these recommendations are rooted in core human rights tenets, encompassing prevention, protection, and investigation. By prioritizing these principles, GRE-VIO aims to create a robust framework for addressing digital violence and safeguarding the rights of women.

#### Case Law of the European Court of Human Rights (ECtHR):

The case law of the European Court of Human Rights (ECtHR)<sup>24</sup> refers to the body of judicial decisions made by the Court in relation to the interpretation and application of the European Convention on Human Rights (ECHR). Established in 1959, the Court hears cases brought by individuals, groups, or states alleging violations of the rights protected by the Convention.

The European Court of Human Rights (ECtHR) has tackled issues related to digital violen-

<sup>21.</sup> Full list. (2023). Treaty Office. <a href="https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=210">https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=210</a>
22. ibid.

<sup>23.</sup> Council of Europe. (2021). GREVIO General Recommendation No. 1 on the digital dimension of violence against women. Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

<sup>24.</sup> Council of Europe. (1950). European Convention for the Protection of Human Rights and Fundamental Freedoms.

ce within the broader framework of human rights, emphasizing privacy, freedom of expression, and protection from discrimination. Although the Court has not provided a unified definition of 'digital violence,' its case law offers important insights into how such issues are addressed under the European Convention on Human Rights. The necessity for a culturally sensitive approach to address the specific needs and experiences of minority women, particularly Roma women, is still not sufficiently recognized.

#### **European Union Initiatives:**

EU policies are applicable exclusively to member states of the European Union. This means that the regulations, directives, and decisions made by EU institutions are binding just on those countries. While the EU does not directly accede to the Council of Europe conventions, it complements them through its own legislative proposals and directives aimed at combating gender-based violence, including its digital dimensions. The European Parliament has recommended measures to identify gender-based violence as criminal acts within the framework of EU law, thereby addressing both online and offline manifestations.

#### The Treaty on the Functioning of the European Union - TFEU<sup>25</sup>

The Treaty on the Functioning of the European Union (TFEU) provides a foundational framework for addressing gender-based digital violence through various mechanisms:

Article 6 of the Treaty on the Functioning of the European Union (TFEU) affirms the Charter of Fundamental Rights, which safeguards against discrimination and upholds human dignity, thereby supporting efforts to combat gender-based digital violence. Additionally, Articles 26 and 114 emphasize the regulation of digital platforms, facilitating the creation of policies aimed at preventing and responding to instances of digital violence.

The TFEU's provisions in Articles 67-89 promote measures against cybercrime, enabling legislative actions such as the Cybercrime Directive to address gender-based digital violence effectively. Moreover, the TFEU empowers the EU to adopt specific directives and regulations related to online harassment and abuse, aligning with its guiding principles. It also underpins EU strategies for promoting gender equality and anti-discrimination, which include initiatives targeting gender-based digital violence. Furthermore, the TFEU fosters cooperation among member states to develop and implement legal and support mechanisms to tackle this issue, while Articles 81-82 facilitate cross-border legal actions, which are essential for addressing online violence that crosses multiple jurisdictions.<sup>26</sup>

While the TFEU does not explicitly address gender-based digital violence, its provisions support the EU's legal and policy framework for combating such violence. The

<sup>25.</sup> European Union. (2007). Treaty on the Functioning of the European Union. Official Journal of the European Union, C 306, 1-271.

Treaty underpins the principles of equality and non-discrimination, provides a basis for relevant legislative actions, and facilitates cooperation among member states to address digital violence effectively.

Furthermore, the EIGE report related to the Combating Cyber Violence against Women and Girls<sup>27</sup> presents a comprehensive scope of relevant information. The EIGE report identifies the 'new era of gender-based violence.<sup>28</sup> The report concluded that a severe lack of data and research at EU level is hindering an adequate assessment of the prevalence and impact of CVAWG. The report recommended recognizing gender-based cyber violence as a form of violence against women and girls (VAWG) and improving the collection of sex-dis aggregated data. According to the report<sup>29</sup> of the European Institute for Gender Equality (EIGE) numerous manifestations of gender-based digital violence Various forms of TFGBV are defined in the Annex. ( see page ...)

♦ **Digital Services Act (DSA):** The DSA aims to create a safer and more accountable digital environment while balancing innovation and freedom of expression online. The DSA includes provisions for tackling illegal content online, which encompasses various forms of cyberviolence. EIGE has stressed the importance of incorporating gender dimensions into the transparency reporting under the DSA to ensure that gender-based violence is adequately monitored and addressed.

The Digital Services Act (DSA) presents a legislative proposal by the European Union aimed at regulating digital platforms to ensure they operate responsibly and address issues such as illegal content, disinformation, and user safety. Principal aspects of the DSA encompass:

- **Platform Responsibilities:** Platforms must take proactive measures to prevent and remove illegal content, including hate speech, terrorist content, and child sexual abuse material.
- Transparency and Accountability: Platforms are required to provide transparency regarding content moderation practices and algorithms and establish clear complaint mechanisms for users.
- **User Protection:** Enhanced protections for users, including measures against online manipulation and counterfeit goods, as well as requirements for age-appropriate design.
- Market Oversight: Increased oversight and cooperation between platforms and authorities to ensure compliance with EU laws, including obligations for larger platforms to conduct risk assessments and audits.
- **Enforcement:** Strengthened enforcement measures, including significant fines for non-compliance and the potential for liability for illegal content.

<sup>27.</sup> European Institute for Gender Equality. (2022). Combating cyber violence against women and girls.

<sup>28.</sup> Ibid.

<sup>29.</sup> Ibid.

<sup>30.</sup> European Parliament and Council of the European Union. (2022). Regulation (EU) 2022/2065 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act). Official Journal of the European Union, L 277, 1-102.

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#### Victim's rights Directive 201231

The Victims' Rights Directive emphasizes fundamental rights for all victims, including respect and dignity, which is crucial for addressing gender-based digital violence. It highlights the importance of providing victims with access to support services, such as psychological counseling, and mandates clear information on reporting and accessing help for digital violence.

The Directive also advocates for protective measures, including legal protections against online threats. Although it does not specifically target digital violence, it promotes a gender-sensitive approach, urging member states to consider the unique needs of victims of gender-based digital violence. The effectiveness of the Directive depends on national implementation and enforcement, integrating digital violence into broader victim support systems.

The Victims' Rights Directive provides a foundational framework for supporting and protecting victims of crime, including those affected by gender-based digital violence. While the Directive does not specifically target digital violence, its principles and requirements support the development of legal and support systems that can address such issues within the broader context of victim rights and protections.

● Directive on combating sexual abuse of children (Directive 2011/93/EU)<sup>32</sup> in accordance with the Charter of Fundamental Rights of the European Union and the United Nations Convention on the Rights of the Child<sup>33</sup> is defining Online Gender-Based Violence in the Context of the Directive on Combating Sexual Abuse of Children (Directive 2011/93/EU).

Online gender-based violence is defined as gender-based abuse, harassment, and exploitation occurring in digital spaces, which impacts victims' dignity, privacy, and well-being. It aligns with the principles of the Charter of Fundamental Rights and the CRC, emphasizing protection, privacy, and the need for effective legal responses to safeguard individuals from such harm.



#### Directive 2011/93/EU Overview:34

The Directive on combating sexual abuse and exploitation of children, including child pornography, aims to enhance legal frameworks across EU member states to protect children from sexual abuse and exploitation. While it primarily addresses child-specific concerns, its principles can inform the broader understanding of online gender-based violence.

<sup>31.</sup> European Parliament and Council of the European Union. (2012). Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime. Official Journal of the European Union, L 315, 57-73.

<sup>32.</sup> European Parliament and Council of the European Union. (2011). Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography. Official Journal of the European Union, L 335, 1-14.

<sup>33.</sup>UNICEF. (1989). Convention on the Rights of the Child.

<sup>34.</sup> European Parliament and Council of the European Union. (2011). Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography. Official Journal of the European Union, L 335, 1-14

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#### Alignment with the Charter of Fundamental Rights of the European Union:

- Right to Dignity and Protection (Article 1): The Charter guarantees respect for human dignity and the protection of individuals from degrading treatment, which underpins the need to address all forms of online gender-based violence, ensuring that victims are treated with dignity.
- Right to Respect for Private and Family Life (Article 7): This right supports protection against online harassment and abuse that infringes on personal privacy, including gender-based violence.
- Rights of the Child (Article 24): The Charter specifically safeguards the rights of children, emphasizing their protection from sexual exploitation and abuse, aligning with the Directive's focus on preventing sexual violence against minors.

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### Alignment with the United Nations Convention on the Rights of the Child (CRC):

- Protection from Abuse and Neglect (Article 19): The CRC mandates protection from all forms of abuse and exploitation, including online environments. This aligns with the Directive's provisions for safeguarding children from online sexual abuse and exploitation.
- Right to be Heard (Article 12): Ensuring children's views are considered in matters affecting them is essential for addressing online gender-based violence, allowing children to voice their experiences and concerns regarding online abuse.
- Right to Privacy (Article 16): The CRC protects children's privacy, which is crucial in addressing online gender-based violence, ensuring that children's personal information and experiences are not exploited or misused online.

Therefore, the Directive is focused on definition of Child Pornography, Criminalizing Acts related to Pornographic Performance, and Combating the sexual exploitation of Children and Child Pornography. Hence, it stipulates Member States to Harmonizes Member States' laws to criminalize severe forms of child sexual abuse and exploitation, to extend domestic jurisdiction and ensure minimum level of assistance to the victims.

Additionally, it stipulates establishment of victims' rights in criminal proceedings, including protection and compensation and establishment of facilitates coordination of prosecution through Council Framework Decision 2009/948/JHA.



<u>Budapest Convention - Additional Protocol to the Convention on Cybercrime</u>,<sup>35</sup> concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.

<sup>35.</sup> Council of Europe. (2001). Convention on cybercrime. Budapest.

The Budapest Convention, formally titled the Convention on Cybercrime, primarily focuses on harmonizing legal frameworks and fostering international cooperation to combat cybercrime. However, its gender perspective is integral to understanding its broader impact on addressing gender-based violence in the digital realm.

The Convention acknowledges that cybercrime can *disproportionately affect women* and marginalized genders. While the Convention itself does not explicitly categorize gender-based violence as a primary focus, its provisions on illegal content, including harassment and exploitation, indirectly address issues that predominantly affect women and gender minorities.

By setting standards for combating cybercrime, the Budapest Convention supports the development of national laws that can better address online gender-based violence. Member states are encouraged to align their legal definitions and enforcement mechanisms with the Convention's standards, potentially leading to more comprehensive protections against gender-specific online harms.

The Convention's influence extends to how member states incorporate its principles into their national laws. This process can lead to more nuanced legislation that considers the gendered dimensions of cybercrime, such as online harassment, stalking, and exploitation, thereby enhancing legal responses to these issues.

The Convention facilitates international collaboration, which is crucial for addressing cross-border cases of cybercrime that involve gender-based violence. Effective cooperation among countries can help in tackling the global nature of online harassment and exploitation.

While the Convention provides a framework for addressing various forms of cybercrime, including those with gendered implications, it does not explicitly prioritize gender-based

violence. This may necessitate additional legal and policy measures to ensure that gender-specific issues are adequately addressed within the broader scope of cybercrime legislation.

The gender perspective of the Budapest Convention is reflected in its potential to influence national and international approaches to cybercrime, including those related to gender-based violence. However, while it sets important standards, further measures may be needed to explicitly and effectively address the gendered dimensions of online harms.

The Budapest Convention and its 2nd Additional Protocol provide tools for international cooperation in investigating and gathering evidence on cybercrimes. Therefore, the Budapest Convention set out that national and international laws must address **racist and xenophobic propaganda** spread through computer systems. The goal is to criminalize such acts conducted online.

Racist and xenophobic material includes any written content, images, or representations that advocate, promote, or incite hatred, discrimination, or violence against individuals or groups based on race, color, descent, national or ethnic origin, or religion when used as a pretext for these factors.

### 4.2. Incorporating Intersectional Perspectives into Legislative Definitions 36

These directives do not adequately address the interconnected issues of stigma, systemic oppression, and the international context surrounding the problem. While they may provide a framework for legal and procedural responses, they fall short of considering how societal stigma can impede victims' willingness to report incidents or seek help. Additionally, the impact of systemic oppression—rooted in factors such as race, gender, and socio-economic status—remains largely unexamined, which limits the effectiveness of these directives in addressing the needs of marginalized groups. Furthermore, an international perspective is essential for understanding the global dimensions of the issue, as variations in cultural norms, legal frameworks, and enforcement mechanisms can significantly influence the prevalence and perception of the problem across different regions. By neglecting these critical dimensions, the directives may inadvertently perpetuate existing inequalities and fail to provide comprehensive solutions.

Research on feminist theory and techno crimes explores how gender influences criminal behavior and experiences. It links feminist theory with techno crimes by analyzing research and online media using both qualitative and quantitative methods. Critical feminist theory argues that gender disparities stem from unequal power structures in capitalist societies, which exploit women disproportionately. Feminist economics, a branch of this theory, challenges traditional economic frameworks by addressing gender, power, and social justice, particularly in areas like online advertising, data privacy, and the monetization of violence against women.

Feminist economic theories emphasize human rights over profit, advocating for policies that protect and empower women. They also stress the importance of care work, emotional labor, and safe online environments, urging policymakers to prioritize individuals' well-being over profits. Additionally, feminist economics calls for an intersectional approach, ensuring policies consider factors like race, ethnicity, and socioeconomic status to address the specific vulnerabilities of marginalized women. By challenging market-driven assumptions, feminist economists advocate for ethical policies that hold companies accountable for their impacts on women and marginalized groups.

Large online platforms (VLOPs) should address societal risks associated with their services, including threats to fundamental rights and participation in civic discourse. A legislative approach, such as the Digital Services Act (DSA), recognizes the complex challenges involved.

Striking a balance between free expression, combating illegal content, and creating a safe online environment is both difficult and crucial. If effectively implemented, the DSA could set significant standards for addressing pervasive digital harms. However, achieving this will require an intersectional methodology, akin to Kimberlé Crenshaw's proposal, ensuring robust risk assessments, effective mitigation measures, European Commission evaluation, and accessible remedies for those most impacted by these violations.

The implementation of the EU's Digital Services Act (DSA) requires striking a delicate ba-

<sup>36.</sup> Verfassungsblog. (n.d.). DSA practice. Retrieved September 10, 2024, from <a href="https://verfassungsblog.de/category/deba-tes/dsa-practice/">https://verfassungsblog.de/category/deba-tes/dsa-practice/</a>

lance between safeguarding freedoms and addressing harms, especially for historically marginalized groups. Key provisions mandate that large online platforms (VLOPs) assess systemic risks to fundamental rights (Article 34), implement mitigation measures (Article 35), and undergo independent audits (Article 37).

The digital environment is constantly evolving and as highlighted by the UN Special Rapporteur on VAW, new technologies 'will inevitably give rise to different and new manifestations of online violence against women' (UN Human Rights Council, 2018). This is demonstrated by the emergence of new tools and strategies described in this chapter, for example the use of stalker ware, or emerging spaces of violence such as the metaverse.

Different types of perpetrators exist, including those normally considered in a gender-based violence context (e.g. relatives, acquaintances, partners and ex partners), but perpetrators in cyberspace can also be anonymous and/or unacquainted.

While the internet is vital for freedom of expression, it is increasingly plagued by online hate, including racism, sexism, and other discriminatory speech. This hate can appear in forms such as harassment, threats, and incitement to violence. The European Court of Human Rights has determined that freedom of expression does not protect racist or xenophobic speech. Although other international agreements address hate speech, they often lack clear definitions or universal acceptance.<sup>37</sup>

Digital gender-based violence is a cross-cultural global phenomenon. The networking affordances of Web 2.0 allow frequent spillover phenomena and new online communities are formed across national borders with the shared aim of hating a specific social group. A gender and inter sectional example is the emergence of the so-called manosphere and incel communities (Sugiura, 2021)

### 4.3. Capital Interest in Digital Economy 38

In addition to analyzing legal regulations in the digital realm, the pursuit of digital profit holds considerable importance. In the digital economy, the drive for profit often intersects with, and sometimes undermines, the need to ensure strong protections of women online. The focus on maximizing user engagement and advertising revenue can conflict with the implementation of comprehensive safety measures and the creation of equitable online environments for women. This tension highlights the challenge of balancing economic goals with the necessity to address and reduce gender-based digital violence and harassment.

In the digital economy, capitalist interests frequently conflict with the imperative to protect women online in several significant ways:

Digital platforms often prioritize profit over user safety, leading to inadequate measures against online harassment and violence. Stricter protective measures may be viewed as de-

<sup>37.</sup> Council of Europe. (2017). Resolution 2144: Ending cyber discrimination and online hate.

<sup>38.</sup> Rani, U., Castel-Branco, R., Satija, S., & Nayar, M. (2022). Women, work, and the digital economy. Gender & Development. Retrieved September 10, 2024, from <a href="https://www.genderanddevelopment.org/303-women-work-and-the-digital-economy/">https://www.genderanddevelopment.org/303-women-work-and-the-digital-economy/</a>

terrents to user engagement, potentially impacting revenue. Additionally, the extensive collection of personal data for targeted advertising raises significant concerns regarding data privacy, exposing women to increased risks of stalking and harassment.

Furthermore, algorithmic bias can exacerbate these issues, as algorithms may perpetuate existing biases and fail to adequately protect women from harassment, particularly when development teams lack diversity or do not consider the unique challenges women face. Inadequate reporting mechanisms for abuse are another critical concern; often poorly designed and underfunded, these tools hinder women's ability to seek help effectively. Finally, the focus on growth and retention strategies frequently overlooks user safety, resulting in environments that prioritize engagement over the well-being of users. This tension underscores the challenge of reconciling economic objectives with the necessity to address and mitigate gender-based digital violence and harassment.

Emerging technologies such as Artificial Intelligence (AI) and blockchain present both opportunities and challenges for addressing digital violence. Al can enhance content moderation by rapidly detecting and filtering harmful material, provide personalized safety tools, predict potential incidents through behavioral analysis, and offer support to victims via virtual assistants. However, AI also carries risks, including algorithmic bias, privacy concerns, and the possibility of false positives and negatives in content moderation. These issues may lead to biased practices, excessive surveillance, and inaccuracies in identifying harmful content.

Blockchain technology can contribute to preventing digital violence by creating immutable records of interactions, enabling decentralized control, and ensuring transparent reporting. Yet, it faces challenges such as scalability issues, anonymity that can hinder accountability, and complexity that may limit its accessibility. Other emerging technologies like Augmented Reality (AR), Virtual Reality (VR), and the Internet of Things (IoT) also offer potential benefits and risks, including new ways to educate users and concerns about privacy and harassment. To effectively leverage these technologies while minimizing risks, it is essential to implement ethical design principles, promote transparency, empower users, and involve diverse stakeholders in development and deployment.

### 4.4 Challenging Patriarchal Structures Through Legislation

Legislative and policy frameworks play a crucial role in dismantling patriarchal structures by addressing gender inequalities and advancing women's rights. Laws, when properly implemented and enforced, serve as powerful tools in promoting gender equality and challenging societal norms that perpetuate discrimination. Legal reforms, such as anti-discrimination laws, are essential for creating an environment where patriarchal norms can be challenged. Advocacy for these reforms is equally important, ensuring that the significance of these laws is understood and that they are fully implemented.

Furthermore, education and awareness are also critical components, as laws that mandate gender-sensitive education can shift societal attitudes and reduce biases. Incorporating gender studies into school curricula and training law enforcement and judicial officers on gender issues can help in creating a more just society. Laws promoting women's political partici-

pation, including those that implement quotas for women in legislative assemblies, ensure that women's voices are heard in decision-making processes. In this process, cultural sensitivity is key—local communities, including Roma women, must be involved in the creation of policies that protect their rights, guided by the principle of "Nothing about us, without us."

Nevertheless, support services for victims of cyber violence are another vital aspect of these frameworks. Such services include psychological and emotional support through counseling, peer groups, and crisis hotlines; legal assistance to navigate cyber violence claims and educate victims on their rights; and safety measures such as digital security planning and emergency aid. Practical and financial support can help victims cover legal fees, relocate if necessary, and manage workplace-related issues. Educational and advocacy services raise awareness of available resources and push for stronger protections, while specialized services for children and families ensure that the needs of minors are addressed. Together, these comprehensive services help victims recover and rebuild their lives while advocating for a safer digital environment.

### 5. How Power Dynamics Shape the Online Environment? 39

Power dynamics significantly shape the online environment, influencing user interactions, content visibility, and the overall experience of individuals, particularly marginalized groups. In many cases, those with greater social, economic, or political power exert control over digital spaces, often determining what content is prioritized and whose voices are amplified. This can manifest through algorithmic biases, where algorithms may favor dominant narratives or popular content while sidelining marginalized perspectives, thus perpetuating existing inequalities.

Furthermore, the online environment is often marked by power imbalances in user interactions, where individuals from privileged backgrounds may engage more confidently, while those from disadvantaged groups might experience harassment or exclusion, leading to a chilling effect on their participation. Additionally, the policies and regulations set by platform owners reflect power dynamics, as decisions about user safety, content moderation, and data privacy can favor corporate interests over individual rights. Understanding these dynamics is crucial for creating more equitable and inclusive digital spaces, ensuring that all users can navigate the online environment safely and effectively.<sup>40</sup>

Addressing power dynamics in the digital world is crucial for creating a more equitable and inclusive online environment. One of the key strategies is to promote transparency in how algorithms and data practices shape our online experiences, ensuring users have a clearer understanding of how their information is used. By enforcing antitrust laws and supporting smaller companies, we can also encourage fair competition, preventing large corporations from dominating the digital space. Strengthening privacy protections is equally important, giving users greater control over their personal data and how it's shared. Additionally, efforts to close

<sup>39.</sup> World Economic Forum. (n.d.). World Economic Forum. Retrieved September 10, 2024, from <a href="https://www.weforum.org/">https://www.weforum.org/</a>

<sup>40.</sup> ibid.

the digital divide, improve access to technology, and promote digital literacy are vital steps in fostering a more inclusive online world. By involving diverse voices—civil society, academics, and everyday users—in the development of technology policies, we can ensure that the digital space serves a broader range of people, not just a privileged few.

### 6. Conclusion

In conclusion, this research brings to light the complex and multifaceted challenges that Roma women face with respect to Technology-Facilitated Gender-Based Violence (TFGBV). The intersection of race, gender, and socio-economic marginalization intensifies the vulnerability of Roma women, exacerbating their exclusion from digital spaces and limiting their ability to recognize, report, or escape online violence. The digital divide, compounded by intersectional discrimination places Roma women in an especially precarious position, leaving them more susceptible to abuse while having fewer resources and mechanisms for redress.

The pivotal role of Roma feminist professionals and collectives in advancing research and advocacy on TFGBV cannot be overstated. These collectives are instrumental in addressing the critical gaps in current literature, which often overlooks the specific experiences of Roma women. By centering Roma women's voices and experiences, these feminist professionals actively challenge and decolonize traditional research methodologies that have historically excluded or misrepresented Roma women. Their involvement ensures that TFGBV is analyzed through an intersectional lens, integrating not just gender, but also the socio-economic and ethnic dimensions of violence in the digital age.

To effectively combat TFGBV, the research advocates for a collaborative and multi-faceted approach that involves governments, NGOs, and technology companies, while also prioritizing the voices and leadership of Roma feminist professionals. This intersectional strategy, driven by those who understand the community's specific needs, will create more equitable, inclusive, and safer digital environments for Roma women, promoting both their empowerment and social justice.

### 7. Recommendations and Future Directions

### 7.1. Policy Recommendations for Governments and NGOs

The following recommendations are inspired by evidence-based research and aim to enhance accountability between technology companies, governments, and citizens while addressing the specific needs and experiences of Roma women and girls. These recommendations provide a clear path forward for various entities to address technology-facilitated gender-based violence (TFGBV) and ensure a safer digital environment.

1. **Develop Specific Legislation:** Governments should create and enforce specific laws addressing TFGBV. This legislation should cover all forms of online harassment,

cyberstalking, doxing, and the non-consensual dissemination of intimate images. Legal frameworks must be inclusive, considering the unique challenges faced by marginalized communities such as Roma women.

- 2. **Harmonize International and National Laws:** There should be greater alignment between international conventions, such as the Istanbul Convention and national laws. Harmonization ensures that TFGBV is consistently recognized and addressed across different jurisdictions.
- 3. **Support and Fund Grassroots Organizations:** NGOs play a critical role in providing immediate support to victims of TFGBV. Governments should allocate funds and resources to grassroots organizations that offer counseling, legal aid, and digital literacy programs tailored to the needs of marginalized groups.
- 4. **Implement Public Awareness Campaigns:** Public education campaigns can raise awareness about TFGBV and promote digital literacy. These campaigns should be inclusive and culturally sensitive, ensuring they reach and resonate with diverse audiences.

#### 7.2. Future Research Directions

Research on TFGBV should continue to evolve to address emerging challenges and deepen our understanding of the issue. Future research directions include:

- 1. **Intersectional Analyses:** More studies are needed to explore how intersecting identities (e.g., race, gender, socio-economic status) influence the experiences and impacts of TFGBV. Such research can inform more effective and inclusive interventions.
- 2. **Longitudinal Studies:** Long-term studies can provide insights into the enduring effects of TFGBV on survivors, including mental health outcomes and socio-economic impacts. These studies can also evaluate the long-term efficacy of interventions and support systems.
- 3. **Impact of Emerging Technologies:** With the rise of new technologies such as artificial intelligence and virtual reality, it is crucial to study their potential role in both facilitating and preventing TFGBV. Research should investigate how these technologies can be harnessed to protect users.
- 4. **Evaluation of Legal Frameworks:** Comparative studies of different legal frameworks across countries can identify best practices and gaps in legislation and enforcement. Such evaluations can guide policy reforms and the development of more robust legal protections.

### 7.3. Recommendations for Tech Companies to Protect Marginalized Users

To enhance the protection of marginalized users and effectively combat TFGBV, tech companies should consider the following recommendations:

- 1. **Enhanced Moderation:** Invest in advanced moderation technologies, including Al-driven tools, to detect and remove abusive content more efficiently. This includes real-time monitoring to quickly address incidents of TFGBV.
- 2 Comprehensive Reporting Mechanisms: Develop more user-friendly and accessible reporting mechanisms that allow victims to report abuse easily. Ensure that these mechanisms are responsive and provide timely support to users.
- 3. **Stricter Enforcement of Policies:** Ensure consistent and stringent enforcement of community standards and policies against TFGBV. This includes imposing stronger penalties on repeat offenders and taking decisive action against coordinated harassment campaigns.
- 4. **Support Services for Victims**: Provide resources and support services for victims of TFGBV, including access to counseling, legal assistance, and digital safety education. Partner with organizations that specialize in supporting marginalized communities to offer tailored assistance.
- 5. **Transparency and Accountability:** Increase transparency regarding the handling of TFGBV cases by publishing regular reports on the number of incidents reported, actions taken, and outcomes. Hold the company accountable for its performance in protecting users.
- 6. **Community Engagement:** Engage with marginalized communities to understand their specific needs and challenges related to TFGBV. Incorporate their feedback into policy development and platform design to create a safer and more inclusive online environment.





