



Mapping of laws and services for online and ICT-facilitated violence against women and girls in Arab States







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Acronyms

CSO Civil society organization

ICT Information and communications technology

UN Women United Nations Entity for Gender Equality and the Empowerment of Women

VAWG Violence against women and girls



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Executive summary

This report documents existing legal frameworks and services related to online violence against women and girls (VAWG) in the Arab States. It draws from two mapping exercises of current legislation and services provided by governments and civil society organizations (CSOs). In doing so, the report highlights the main trends in responding to online and information and communications technology (ICT)-facilitated VAWG in the Arab States.

Key findings on responding to online VAWG

Legal frameworks

There are no specific or stand-alone laws on online violence in the Arab region.

Countries generally have three approaches to laws on online VAWG: In the first case, domestic violence, and sexual harassment laws extend to online violence and include civil offenses. Tunisia has taken a second approach with a comprehensive law addressing all types of VAWG; this implies the inclusion of online violence. Some countries have taken a third approach centred on adopting cybercrime laws that can be used to address online violence.

Online violence is often perceived as a cybercrime rather than a gender issue. Simply adding online VAWG to a list of cybercrimes may overlook the specific needs and rights of women and girls in such cases. Introducing online violence clauses in cybercrime laws comes with some contradictions. While criminalizing online violence is a positive development, cybercrime laws have been widely criticized in the Arab States for their infringement on privacy and speech rights.

Current services

Government-provided services: Arab states have made concerted efforts to respond to online VAWG. Some 16 countries have introduced helplines for survivors of online violence. Some have set up online portals, forms or emails to report incidents. Security services often implement government initiatives to tackle online violence.

CSO-provided services have complemented government services but need to be more organized and promoted, including through coordination with governments. CSOs have done commendable work on awareness raising and advocacy, case management, legal and psychological aid, and development of guidelines on online VAWG for journalists, media professionals and health workers.

Challenges affecting laws and services

A lack of legal frameworks specific to the issue along with a general lack of awareness of existing laws. Limited civil remedies and laws for survivors of online VAWG leave criminal prosecution as the only option in many cases. Relevant domestic and sexual harassment laws that might be used in online violence cases usually do not refer explicitly to ICT-facilitated violence.

A lack of awareness of services is compounded by limited access to online portals, helplines and complaint mechanisms. There are few coordinated responses to online VAWG, and law enforcement and judiciary officials have insufficient understanding of gender justice as well as few guidelines on how to address online VAWG cases.

Services are minimal for counselling, mental health and legal aid. Gaps remain in protective measures to uphold confidentiality, privacy and survivors' human dignity during investigations.

Responses to online violence across borders are often insufficient.



Some global good practices in laws and services

Passing specific legislation on online VAWG: Successful practices involve explicit clauses that acknowledge online VAWG, with a clear definition and recognition of its forms. Some countries have introduced these clauses to laws on communications or harassment. Others have amended several laws simultaneously.

Developing legislation on Internet intermediaries: These target intermediaries and simplify procedures for obtaining information on perpetrators.²

Developing clear guidelines for prosecution: Given the sensitive nature of online VAWG crimes and the fact that they are still not well understood, some countries have developed guidelines on all relevant laws for prosecution and judiciary officials.

Establishing specialized institutions: These specifically respond to online VAWG and other technology-related offenses. One example is New Zealand's Netsafe, an independent body focused on online safety.

Assigning helplines, online chat support, email and text services: These may offer counselling, information and referrals to other services. Some are segmented by age.

Dedicated websites on laws and services for survivors: Along with comprehensive online guidance, some have mechanisms to file complaints. They may include highlights of relevant laws,³ advice for survivors on gathering evidence and details on criminal penalties for perpetrators.

Introducing civil penalty schemes and protection orders: Some websites detail civil penalty schemes for cyberviolence, where authorities can issue an enforceable notice to an Internet intermediary to remove harmful content.

Referring to other services: Referrals through websites, hotlines and other avenues link survivors of online VAWG to other services for survivors of violence in general, including safety planning, medical care, financial aid, and housing or emergency accommodation.

Advising and guiding survivors on contacting Internet intermediaries: Some CSOs have close partnerships with Internet intermediaries to develop information on safety and privacy.

Key recommendations to respond to online and ICT-facilitated VAWG in the Arab States

Governments

- Introduce specific national legislative frameworks on online and ICT-facilitated VAWG.
- Develop online websites and one-stop shops for information, reporting and service referrals.
- Adopt a survivor-centred approach when raising awareness of online VAWG.
- Provide mental health and legal support for survivors, online and offline.
- Establish government agencies that specialize in online VAWG or introduce this mandate to existing agencies, with trained staff.
- Develop school programmes to advance online safety for women and girls.

Law enforcement and judiciary

- Train law enforcement and judicial officials on responding to online VAWG from a gender justice perspective.
- Introduce technology-related civil remedies as well as criminal offenses.
- Ensure collaboration between law enforcement and judicial officials.
- Introduce preventive measures and interventions that target the psychological rehabilitation of perpetrators to help them avoid reoffending and reintegrate in society.



Internet intermediaries

- Liaise with governments and CSOs to fast-track reporting of online VAWG and help identify perpetrators.
- Address the gender imbalance in technology fields.

CSOs

- Forge partnerships with government agencies to develop coordinated responses to online VAWG.
- Conduct awareness-raising campaigns on online VAWG.
- Liaise with internet intermediaries to fast-track reporting of online VAWW and remove gender based harmful content.

Introduction

Online and ICT-facilitated VAWG is a global human rights violation that has increased exponentially during the pandemic.⁴ According to the European Institute for Equality Between Men and Women, increasing and more widespread use of the Internet, the speed of information dissemination through mobile devices and wider use of social networks have worsened cyberviolence and compounded existing patterns of violence against women and girls.⁵ Gender-based violence takes multiple forms and results in physical, sexual, psychological and/or economic harm.⁶ Online abuse and harassment can include bullying, trolling, cyberstalking, defamation and hate speech, public shaming, and identity theft and hacking, among other offences.⁷

Given widespread and systemic gender discrimination, women and girls are the main targets of online and ICT-facilitated violence. Survivors include in many cases highly visible and outspoken women such as journalists and politicians. While a comprehensive global definition and data on online and ICT-facilitated violence do not yet exist, research suggests that women are disproportionately targeted by cyberviolence and suffer serious consequences as a result. Online VAWG is an extension of VAWG that happens offline, including in-person physical, sexual and psychological abuse. Violence can escalate from harassment to murder, and from one perpetrator to acts of organized crime.

Access to justice for survivors of online VAWG may be difficult due to societal barriers and limitations in the legal process. Many survivors do not pursue legal action due to survivor-shaming attitudes and police putting the onus on survivors to take complaints forward. Reporting levels remain low due to fear, trauma and intimidation, with issues around confidentiality, privacy and respect for survivors' human dignity during investigations. Moreover, many legal clauses related to online VAWG are under criminal laws, which require evidence of the intent to cause harm or emotional distress to the survivor. This is often difficult to prove in cases of online VAWG, making convictions harder to achieve.¹⁰ As a result, perpetrators are rarely held accountable. Access to justice is particularly difficult for girls and women in poverty with the most limited resources to pursue cases.¹¹ Survivors may consider several issues before reporting an offence to the police, such as financial dependency.

While research typically frames online VAWG as occurring in single incidents rather than as a repetitive and persistent pattern, this ignores the multiple acts of violence that individuals may experience online and offline and over time. The perpetrator and survivor frequently know each other, and there is often a controlling relationship. There may be an increased likelihood of repeat victimization and survivor intimidation.¹²

Online VAWG can have severe impacts on survivors, including emotional distress, loss of status, decreased productivity and suicide. Perpetrators threaten sexual violence or disparage appearance and sexual desirability. Sexual blackmail can result in femicide on the ground of honour. ICT effectively amplifies acts such as domestic violence, sexual harassment, sexual violence and violence against women.¹³

Internet intermediaries offer little reporting on online VAWG. Companies seem unwilling to say how much content is being flagged and removed and under what self-designed criteria. Inadequate and substandard responses to online gender-based violence can have a negative effect on freedom of expression, resulting in censorship by platforms, self-censorship or censorship by other users. Gaps in information also limit survivors in seeking redress.¹⁴



This report highlights international frameworks and practices related to responding to online and ICT-facilitated VAWG. It reviews and maps current legislation related to these issues in the Arab States and outlines services provided by governments and CSOs to stop online and ICT-facilitated VAWG.

Trends in online and ICT-facilitated VAWG in the Arab States and beyond

Global trends

One in three women worldwide face gender-based violence and more than 70 per cent of women online have been exposed to some form of cyberviolence. Faround 23 percent of women in the European Union have reported online abuse or harassment at least once in their life. One in 10 women has experienced some form of online violence since age 15. The risk of online violence is highest among young women between 18 and 29 years of age.

In the **United States**, 2 out of every 10 young women aged 18-29 have been sexually harassed online and 1 in 2 say they were sent unwarranted explicit images.¹⁸ Women are about twice as likely as men to say they have been targeted due to gender.¹⁹ In **France**, 15 per cent of women said they experienced some form of cyber harassment.²⁰ Cyber abuse in **Australia** increased by 50 percent during the COVID-19 lockdown in March 2020.²¹

Trends in the Arab States

In **Egypt**, a 2020 study of 356 women showed that around 41.6 per cent reported experiencing cyberviolence in the previous year.²² Although there are no government statistics on the issue, the Women's Centre for Guidance and Legal Awareness reported that 70 per cent of the complaints received in 2020 were related to online harassment, up from 25 per cent before the pandemic.²³

In **Lebanon**, the feminist coalition Fe-Male reported 1,123 cybercrimes committed against women and girls in 2018, 1,270 cases in 2019 and 315 cases in the first quarter of 2020, a 184 per cent increase.

In Jordan, 90 per cent of the survivors of cybercrimes in 2015 were women.²⁴

In **Libya**, a 2020 survey conducted by Lawyers for Justice in Libya showed that 96.3 per cent of 163 female respondents perceived online VAW to be a serious problem. Further, 67.5 per cent of respondents said they had experienced online abuse on social media platforms.

In **Tunisia**, the Center for Research, Studies Documentation and Information on Women in 2019 found that four out of five women have been survivors of cyberviolence.²⁵

In **Morocco**, a 2019 national survey on violence against women conducted by the High Commission for Planning revealed that around 14 per cent of women had experienced at least one act of online violence in the last 12 months, a total of 1.5 million survivors. Cyberviolence is more frequent in urban areas (15.5 per cent) and mainly affects young women: 29.4 per cent of survivors were aged 15-19, 21.2 per cent were aged 20-24 and 16.6 per cent were aged 25-29. Another <u>study</u> conducted by the <u>Mobilizing for Rights Association</u> and in collaboration with seven NGOs, one of them is the <u>Association Tahadi pour l'Egalité et la Citoyenneté</u> found that 35 per cent of respondents experienced several incidents of online VAWG per day. In the majority of cases, violence goes unpunished, since only 10 per cent of women reported digital violence to public authorities. Around 70 per cent of women remained silent and did not ask for help having seen other women report this violence and receiving "no results and no follow-up". To the properties of the prop



Methodology

This report¹ relies mainly on secondary data to identify laws and services relevant to online and ICT-facilitated VAWG, and to highlight international and Arab States good practices in combating the phenomenon. It refers to policy and legal frameworks and service provision by governments and CSOs. This report focuses on laws and services enforced and developed in the last 10 years while emphasizing more recent efforts to ensure a current overview.

The research strategy included a review of legal texts from government websites, focusing on resources provided by justice ministries and ICT agencies as well as online legal databases such as Natlex. A desk review of secondary data mainly centred on a Google search of government-provided services using the following keywords: "report"; "online violence"; "online harassment"; "online embezzlement"; "cyber harassment", and "cybercrime" in English, Arabic and French. UN Women country offices reviewed services mapped in Jordan, Lebanon, Libya, Morocco, the State of Palestine and Tunisia.

International frameworks related to online and ICT-facilitated VAWG

No multilateral or regional treaties or frameworks specifically govern online and ICT-facilitated VAWG.²⁸ Nevertheless, the following instruments establish some key definitions and practices.

- The <u>CEDAW Committee's Recommendation 35</u> recognized that VAWG occurs in all spaces, including "technology-meditated environments", and addresses online and ICT-facilitated VAWG.
- Sustainable Development Goal targets 5.2 and 5.b aim at eliminating all forms of violence against all women and girls in the public and private sphere, and using technology to promote women's empowerment.²⁹
- The Council of Europe Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence refers to all types of violence against women, which encompasses online and ICT-facilitated violence. In November 2021, the Council of Europe Expert Group on Action against Violence against Women and Domestic Violence (GREVIO), which monitors the implementation of the Istanbul Convention, noted that the digital dimension of violence against women is often being overlooked in domestic laws and policies. GREVIO published its General Recommendation No.1 on the digital dimension of violence against women. Similar regional conventions exist in Africa (The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa) with many Arab States as signatories.
- The Council of Europe's <u>Budapest Convention on Cybercrime</u> focuses on cybercrime and sexual exploitation of children but has no specific clauses on online VAWG.³⁰

United Nations bodies, including the General Assembly, the Human Rights Council and the Commission on the Status of Women as well as the UN Secretary-General, have made statements that signal a growing acknowledgment of the seriousness and pervasive nature of online violence. The Secretary-General first addressed online and ICT-facilitated VAWG in a 2006 study on all forms of violence against women, underlining the need for more inquiry to recognize and address emerging forms of violence on the Internet. The Commission on the Status of Women called on States to use ICT to empower women and to develop mechanisms to combat violence against women and girls in a 2013 report (see E/2013/27).

In 2012, <u>Human Rights Council resolution 20/8 on the promotion</u>, <u>protection and enjoyment of human rights on the Internet</u> stated that the rights that people have offline must also be protected online. The Internet was underscored as an extension of rights offline, which prompted dialogue on the impact of digital technologies on women's and girls' rights, specifically in terms of gender-based violence. In 2015, <u>Human Rights Council resolution 29/14</u> on eliminating domestic violence recognized that it could include acts of cyberbullying and cyberstalking, thereby reinforcing the framing of online VAWG as part of the continuum of violence against women. The resolution stressed that States had a primary responsibility for preventing and promoting the human rights of women and girls facing violence, including those facing domestic violence. In 2017, <u>Human Rights Council resolution 34/7</u> noted that abuses of the right to privacy in the digital age may affect all individuals but can have particular effects on women, children and persons in vulnerable situations or marginalized groups.

The report covers the 22 Member States of the Arab League: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the State of Palestine, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen.



In 2014, the General Assembly, in <u>resolution 68/181</u> on protecting women human rights defenders, expressed grave concern about online and offline risks and violations perpetrated by State and non-state actors. The resolution called on States to exercise due diligence and bring perpetrators to justice. General Assembly <u>resolution 71/199</u> recognized that women are particularly affected by violations of the right to privacy in the digital age and called on all States to further develop preventive measures and remedies.

The United Nations High Commissioner for Human Rights has stressed that online violence against women must be dealt with in the broader context of offline gender discrimination and violence, and that States should adopt adequate laws and ensure that appropriate responses exist (see <u>A/HRC/35/9</u>).

State obligations based on conventions and human rights reports relevant to online and ICT-facilitated VAWG

Prevention: States should raise awareness on VAWG, offline and online; provide legal services to punish violators and prevent reoffending; and adopt a carrot-and-stick approach of regulation and/or incentivizing Internet intermediaries.

Protection: States should protect survivors of online VAWG through establishing procedures to immediately remove gender-based harmful content. This is done by eliminating the original material and prohibiting its distribution. Protection also requires immediate judicial action through national court orders and the prompt intervention of Internet intermediaries. It includes the provision of accessible services for survivors, such as legal aid. Finally, protection includes the obligation of States to take positive action to eradicate all forms of violence, including manifestations of online violence, even when an individual has not come forward to make a complaint (for example, in the case of online forums generally advocating violence against women).

Prosecution: Prosecution consists of investigating and instituting proceedings against perpetrators. The multiple costs of litigation, however, prevent many survivors, particularly poorer women, from pursuing cases in court. First responders, including Internet intermediaries, the police and helplines, as well as the judiciary and regulators should be assessed for abilities to respond to women's experiences and facilitate their access to justice and remedies.

Punishment: This entails the duty to punish perpetrators for crimes by sanctions proportionate to the offence. The certainty of adequate punishment conveys the message that violence against women and girls will not be tolerated, which is particularly important for women survivors of online violence, who often do not receive an effective response from State authorities and perceive a culture of impunity for perpetrators.³²

Redress, reparation and remedies: In most cases, survivors of gender-based violence are granted reparations as civil remedies that include financial compensation for costs of quantifiable losses (such as medical care, loss of wages and damage to property), injuries and non-quantifiable losses. Reparation measures also include the immediate removal of harmful content as well as forms of restitution, rehabilitation, satisfaction and guarantees of non-repetition, combining measures that are symbolic, material, individual and collective, depending on the circumstances and claims made by the survivor.

Role of intermediaries: The role of private intermediaries in the regulation and governance of the Internet has progressively come under scrutiny, given that online VAWG is usually perpetrated on privately owned platforms that are frequently in use across many jurisdictions. Internet intermediaries play a central role in providing digital spaces for interaction, and, as such, have specific human rights responsibilities. These responsibilities have not, however, been fully addressed under the international human right framework. For example, while the Guiding Principles on Business and Human Rights affirm the responsibility of business enterprises to respect human rights in general, they do not make any direct reference to the Convention on the Elimination of All Forms of Discrimination against Women or other women's rights instruments (see A/HRC/32/38, para. 37). Many intermediaries have now developed policies that allow for the identification, reporting and rectification of incidents of harassment or violence against women committed on the platforms of Internet service providers. Social media intermediaries have established separate mechanisms to address online abuse, including through internal rules to "block" online abusers or remove content not considered permissible.

Source: OHCHR, 2018.



Mapping of laws related to online violence in the Arab States



Arab countries have attempted to respond to online crime in recent years by issuing laws and regulations to combat different violations. However, there is no specific law in the Arab world that addresses the problem of online violence against women and girls. This is both alarming and requires immediate action from governments in the region. It creates multiple barriers to justice for women survivors and a sense of impunity for perpetrators. Arab States have moved in three directions on legislation on online violence: either by: expanding the scope of sexual harassment and domestic violence laws to include online violence; introducing comprehensive legislations to combat all forms of VAWG; or enacting cybercrime laws.

Amending or using existing legislation on sexual harassment and/or domestic violence laws that may address some forms of online violence. In some legal contexts, current laws may be sufficiently broad and flexible to be applied to some forms of online violence, but this may not be the case everywhere. Where there is no specialized law, survivors are compelled to sue perpetrators through a patchwork of related crimes that may not be adequate.³³ In the Arab region, general laws against VAWG, such as domestic violence and sexual harassment laws, may also be used in combating online violence because existing laws may also be applied to technology-facilitated instances and because technology-facilitated instances of VAWG are often connected with physical in-person VAWG.³⁴ Countries that have enacted domestic violence laws are Algeria, Bahrain, Iraq,³⁵ Jordan, Lebanon, Morocco, Saudi Arabia and Tunisia. Countries with laws addressing sexual harassment comprise: Algeria, Egypt, Iraq, Lebanon, Morocco, Qatar, Saudi Arabia, Somalia, Sudan and Tunisia. Yet technology is not considered under these laws except in Egypt, Lebanon, Morocco, and Saudi Arabia.

In Egypt, Articles 306 (a) and 306 (b) of the Egyptian Penal Code criminalize those "who confront others in a public space or a private one" ... "by making forward actions, insinuations or hints that are sexual or pornographic whether by signals, words or action and by any means including wired and wireless communication methods". The articles were recently amended in June 2021 to include harassment on social media platforms. Egypt also introduced a draft law to make the identity of survivors of harassment and assault anonymous.

Lebanon sexual harassment 205 law of 2020 refers to harassment acts by any means including electronic means.³⁷ It defines sexual harassment as any recurring bad uncommon behavior, unwanted by the victim, with a sexual connotation that constitutes a violation of the body, intimacy or feelings of the victim wherever the victim is, through sexual or pornographic statements, actions, signals, suggestions, or allusions, and by any means with which the harassment took place, including by electronic means."In Morocco, Articles 447-2, 447-3 and 503-1-1 amended the Penal Code to define sexual harassment as including "written messages by phone or any other electronic device, recordings, and procurement or creation images of a sexual nature for sexual purposes". The Articles also penalize "the distribution of someone's messages and photos, without prior consent, and the dissemination of false allegations aimed at harming or defaming someone's private life, by any means including digital tools", and they "increase penitentiary and pecuniary punishment if such acts are committed against a woman due to her sex".³⁸

Saudi Arabia's <u>Royal Decree No. 96/M of 1439</u> defines harassment to include forms of harassment by any means, including through modern technology.



Table 1: List of countries with laws that directly mention online violence

Country	Do laws mention online VAWG?	Law description
Egypt	Yes	Penal Code (Articles 306 bis(a) and 306 bis(b)) recently acknowledged harassment through social media platforms; it has penalties for sexual harassment that include imprisonment.
Lebanon	Yes	Sexual harassment law 205/2020, particularly article 1, define sexual harassment to include acts by any means including electronic/digital means.
Morocco	Yes	The Penal Code criminalizes sexual harassment (Article 503) and defines sexual harassment to include "written messages by phone or any other electronic device, recordings, and procurement or creation images of a sexual nature for sexual purposes" and "the distribution of someone's messages and photos, without prior consent, and the dissemination of false allegations aimed at harming or defaming someone's private life, by any means including digital tools" (Articles 447-2, 447-3 and 503-1-1).
Saudi Arabia	Yes	Sexual harassment was criminalized in 2018, with the law defining harassment as any word, act, or sign with a sexual connotation by a person to any other person that harms their body or modesty by any means, including through modern technology.

Introducing comprehensive VAW legislation. In 2017, Tunisia passed the first national Law 58 on Combatting Violence against Women. The law mentions different types of VAWG, including "physical, moral, sexual or economic harm against women in the private or public sphere". Article 17 criminalizes all forms of harassment against women, and Article 33 allows survivors of domestic violence to issue restraining orders against offenders committing online or offline offenses, but only if the harm becomes physical. This pioneering law is the only one of its kind in the region covering and aiming to eliminate different forms of VAWG. The existence of a specific law that addresses and aims to eliminate all forms of violence against women makes it easier to purse justice for survivors of online violence. The law tackles online violence through a three-pronged approach: inclusion of all forms of violence against women, hence the possibility of using the law in the cases of online violence; establishing standalone agencies to combat all forms of VAWG; and issuing protection orders in case of possible physical harm. Yet there is still the need to explicitly refer to online violence in its legal text.

Issuing cybercrime laws. Cybercrime can be divided into two main categories: crimes that target networks or devices, and crimes that use devices to participate in criminal activities such as individual cybercrime. Individual cybercrime involves the distribution of malicious or illegal information online by an individual. This can include cyberstalking (that involves online harassment), distributing pornography and trafficking.³⁹ Despite the lack of a standardized definition of "cybercrime", it is usually defined as "any activity in which computers or networks are a tool, a target, or a place of criminal activity".⁴⁰ Regional and international bodies describe cybercrime as "a set of conducts or a collection of acts, making it an umbrella term rather than assigning a single definition".⁴¹ Enacting laws to combat cybercrime, including cyber VAWG, can assist in tackling the growing issue of online violence. Moreover, when VAWG is criminalized by the law, and with the existence of a cybercrime law that punishes "any activity in which computers or networks are a tool, a target, or a place of criminal activity", there are higher chances for justice for survivors of online violence. Thirteen Arab countries have enacted laws to combat cybercrime, including cyber VAWG. They include Algeria, Bahrain, Egypt, Jordan, Kuwait, Libya, Oman, Qatar, Saudi Arabia, the State of Palestine, Sudan, Syria and the United Arab Emirates. The remaining 9 Arab countries have either applied general laws to fight cybercrimes or have not taken any measures.⁴²



Table 2: Cybercrime laws in Arab countries⁴³

Country	Does the country have a cybercrime law?	Detailed description
Algeria	Yes	 Cybercrime Law No. 09-04 of August 5, 2009. The law covers the prevention and fight against information technologies and communications crimes by specific rules.
Bahrain	Yes	Law No. 60 of 2014 about Information and Telecommunication Crimes
Egypt	Yes	 Anti-Cyber and Information Technology Crimes Law No. 17 of August 2018
Iraq	No	Revoked cybercrime draft law in 2013
Jordan	Yes	Information Systems Crime Law no. 30 of 2010
Kuwait	Yes	Law No. 63 of 2015 on Combating Information Technology Crimes
Lebanon	No	 No specific legislation pertaining to cybercrime. However, there is Law no 81/2018 related to Electronic Transactions and Personal Data.
Libya	Yes	A cybercrime law has been adopted in October 2021.44
Morocco	No	Cybercrime clauses are found in the Penal Code (Law no. 07-03), but not as a standalone law.
Mauritania	No	Mauritania does not have any officially recognized criminal legislation pertaining to cybercrime. However, it has an ICT Legal framework and national cybersecurity strategy.
Oman	Yes	Royal Decree No. 12/2011 issued the Cyber Crime Law in 2011
Qatar	Yes	Cybercrime Prevention Law No. (14) of 2014
Saudi Arabia	Yes	Anti-Cyber Crime Law, Royal Decree No. M/17, March 26, 2007
Somalia	No	No cybercrime legislation, but there is work in progress



State of Palestine	Yes	Cybercrime Law issued in 2018, Articles 15 criminalize the use of the Internet or ICT modern technology media channels to "threaten or blackmail another person to force him/her to do an act or abstain from it" Section b of the same article establish harsher sentences "If the threat is to commit a felony or it entails a matter that is harmful to honor or dignity". Article 16 criminalize sending "pornographic "content without the person's consent.
Sudan	Yes	Cybercrime Act of 2007, amended in 2018
Syria	Yes	Law No. 17/2012 organizing Online Communication and e-Crime Prevention
Tunisia	No	 No special penal legislation. But article 199ter in the Penal Code on harmful modification of an electronic document's content may be used on cybercrimes. There is also Cybercrime Bill, 2014
United Arab Emirates	Yes	Federal Decree-Law No. (5) of 2012 on Combating Cybercrimes replacing Federal Law No. 2 of 2006 concerning Combating Information Technology Crimes
Yemen	No	Draft Law on Combating Electronic Crime

Challenges in current legal frameworks

A problem of perception- perceiving online violence as a cybercrime: Despite substantial efforts to introduce legislation relevant to online VAWG, Arab countries face several challenges, starting with online violence being perceived as a cybercrime rather than a gender issue. This translates into addressing online VAWG under cybercrime laws, which limits a focus on gender dimensions and overlooks the specific needs of women and girls in responses to cases. While introducing online violence clauses to cybercrime laws can still be considered a positive development, cybercrime laws are widely criticized in the Arab States for their infringement on privacy and freedom of speech.

Proving intent of harm under criminal laws: In many cases limited or non-existent civil remedies or laws for survivors of online VAWG leave criminal prosecution the only route available. Many criminal laws and penal codes bar the non-consensual distribution of sexually explicit images but require evidence of an intent to cause harm or emotional distress to the survivor. This may be difficult to prove and make convictions harder to achieve. Moreover, many current laws do not address threats to release an image or video. Some laws characterize offences as a misdemeanour and/or impose weak penalties on perpetrators.

A lack of specific legal provisions on online VAWG: Where there are no specific legal frameworks on online VAWG, realizing justice cannot be assured. Although broad domestic and sexual harassment laws might in principle cover online violence, most do not refer directly to it, which makes it challenging to guarantee justice. Survivors may pursue justice under different charges and laws, further complicating the judicial process.

Several problems relate to the lack of awareness of existing laws and legislative frameworks. First, since laws are not sufficiently known or visible to the general public, survivors are often not aware of what constitutes online VAWG and what does not. They may not know that a violation punishable by law has taken place. Second, it can be difficult to access and understand existing laws without legal assistance due to legal jargon and inaccessible language. Third, information proliferates in various unofficial sources, which survivors then may struggle to verify with police and judicial authorities. A lack of knowledge and training among law enforcement officials on how to handle cases of online VAWG further complicates the situation.

Online violence across borders means women and girls are sometimes subjected to violence by perpetrators from another country. Taking legal action against a perpetrator can be difficult even if there is an appropriate law in the survivor's own country.



International good practices

Many efforts exist globally to combat online VAWG. Arab countries can draw on these to develop their own more effective legal interventions. Some good practices include the following.

Specific legislation on online VAWG: Although each country legislates differently, successful global practices generally involve explicit clauses that acknowledge online VAWG, with a clear definition and recognition of its different forms. Some countries have introduced these clauses to communications laws, some under harassment laws and some under service provider liability laws. Sometimes amendments are introduced to several laws simultaneously.

New Zealand's Harmful Digital Communications Act of 2015 differentiates between cybercrimes such as computer intrusion, attacks on computer systems and malicious software, and harmful digital communications where technology is used to hurt others. The Act defines what constitutes harmful digital communications and which actions constitute causing harm. It lays out 10 principles for digital communications: not disclosing sensitive information about an individual; not threatening or intimidating an individual; not offensive to a reasonable person; not indecent or obscene; digital communication should not be used to harass an individual, nor to make a false allegation; it should not contain a matter published in a breach of confidence; it should not incite someone to send a message to an individual with the purpose of causing harm; it should not incite someone to commit suicide; and it should not denigrate an individual on the basis of color, race, ethnic or national origins, religion, gender, sexual orientation or disability. The Act also introduces amendments to other laws relevant to digital communications. This includes the Crimes Act 1961 on aiding and abetting suicide, which was amended to include an additional clause on sending offensive materials to a person in any electronic media that might contribute to an act of suicide.

Australia's Summary Offences Act of 1966 criminalizes the distribution or threat of distribution of intimate images. Its Crimes Act 1958 includes threats to kill or inflict serious injury, stalking and extortion with threats to kill or destroy or damage property.

Clear guidelines for prosecuting online VAWG in its various forms: Given the sensitive nature of online VAWG crimes, some countries have developed guidelines for prosecution and judiciary officials. For instance, the United Kingdom's Crown Prosecution Service has updated its guidelines to cover a wider range of social media crimes such as trolling. "Any electronic communications which are indecent or grossly offensive, convey a threat false, provided that there is an intention to cause distress or anxiety to the victim" or "for the purpose of causing annoyance, inconvenience or needless anxiety to another" are prosecuted under the Malicious Communication Act 1988, Sec. 1 and the Communications Act 2003, Sec. 127. Online threats to kill, harm or commit an offence are prosecuted under the Offences Against the Person Act 1861, Sec. 16, and Protection From Harassment Act 1997, Sec. 4. Harassment, stalking, fear of violence and stalking involving fear of violence, serious alarm or distress are covered under the Protection from Harassment Act, Sec. 2, 2A, 4 and 4A.

Establishing agencies to stop online VAWG: In **New Zealand**, the police, Ministry of Education and several non-profits teamed up with telecommunication organizations and IT industry partners to create an independent body focused on online safety, called <u>Netsafe</u>. The Harmful Digital Communications Act of 2015 approved it as an organization to receive and assess complaints about harm caused to individuals by digital communications before a <u>harmful digital communications order</u> is issued. The agency investigates complaints, and uses advice, negotiation, mediation and persuasion to resolve them. It tries to establish and maintain relationships with domestic and foreign service providers and online content hosts to uphold the Act and provides education and advice on policies for online safety and conduct.

Dedicated websites with guidance on existing laws and services: The 1800 Respect helpline in Australia has a website on image-based abuse, psychological abuse and stalking that refers survivors to the Safety Net Australia Service. It facilitates access to legal resources and offers step-by-step guidance on how to file a complaint and approach the police. The United Kingdom's Stop Online Abuse site provides legal and practical advice to survivors of online harassment, revenge porn, hate speech, sexual harassment and blackmail.

Legal clauses or legislation to regulate Internet intermediaries: Some countries develop laws that target Internet intermediaries and simplify procedures for obtaining information on perpetrators. Japan's Law No. 137 of 30 November 2001, the Provider Liability Limitation Act, allows users to sue and demand that Internet service providers disclose the identity and location of the perpetrator. Survivors can use an online form to request the disclosure of information on senders of any illegal offensive material. In April 2021, Japan's Parliament enacted a law to revise current legislation and establish a simpler court procedure to identify individuals who make



defamatory posts online. Under the new law, survivors will go through only one court proceeding to disclose perpetrators. Current legislation requires at least two court proceedings, one against social media operators and the other against Internet service providers to obtain information on harassers.⁴⁷

Good practices in Arab States

Acknowledgment of all types of violence in relevant legislation: Tunisia's Law 58 of 2017 mentions different types of VAWG, including "physical, moral, sexual or economic harm against women in the private or public sphere" which facilitate pursing justice for women survivors of online violence. It does not explicitly refer to online violence, however. Egypt, Lebanon and Saudi Arabia specifically criminalize online violence and penalize harassment occurring through "social media platforms" and "modern technology". Morocco's Penal Code encompasses "written messages by phone or any other electronic device, recordings, and procurement or creation images of a sexual nature for sexual purposes", "the distribution of someone's messages and photos, without prior consent" and "the dissemination of false allegations aimed at harming or defaming someone's private life, by any means including digital tools".

Establishing agencies to combat all forms of VAWG, which includes online and ICT-facilitated VAWG: Tunisia established the National Observatory for Combating All Forms of Violence Against Women, which conducts research and investigates cases of violence, and has an annual report evaluating its different interventions.

Restraining and protection orders: Article 33 of Tunisia's Law No. 58 of 2017 was used in an online harassment case by a spouse to issue a protection order in line with international good practices in combatting online VAWG. However, the protection order was issued only when there was a threat of physical harm.⁴⁸

Extending the mandate of existing ICT authorities to include online violence: Oman's <u>Information Technology</u>
Authority and Morocco's <u>Commission Nationale de Contrôle de la Protection des données à Caractère Personnel</u>
have jurisdictions that extend to cases of online violence under the mandate of "online embezzlement". The
next steps would be amending existing laws to be more gender-sensitive and changing the jurisdiction so online
violence is a stand-alone specialization, with clear processes and complaint mechanisms.

Developing guidelines for online VAWG cases in cybercrime units: The Police Family Protection and Juvenile Unit (FPJU), and the Specialized Prosecution on Family Protection from Violence are developing, in collaboration with UN Women, guidance on the efficient management of online VAWG cases. It defines all forms of online VAWG and outlines coordination mechanisms to ensure services for survivors are gender responsive. The guidance will be piloted in two governates before being adopted fully by the police and prosecutors.



Mapping of government and CSO services related to online violence



Services to respond to online VAWG are provided by government agencies or CSOs. Based on the mapping, government services usually include helplines, email addresses and portals to report incidents of online violence. CSO services focus more on awareness raising, advocacy campaigns, and sometimes helplines, online portals, crisis information, and legal and psychological aid.

Government services

Arab State governments have exerted considerable efforts in providing services to survivors of online violence. A mapping of services was guided by the United Nations Essential Services Package for Women and Girls Subject to Violence and two criteria for service provision: availability and accessibility.

For hotlines, service availability should be free of charge and available preferably 24 hours a day, 7 days a week, or at a minimum, for 4 hours per day, including weekends and holidays. Staff answering helplines should have appropriate knowledge and skills. Protocols should be in place to link the helpline to other social, health and justice services to respond to the individual circumstances of women and girls. The mapping confirmed the 24/7 availability of the Egyptian Government's hotline 108, and that Tunisia's hotline 107 is toll free. There was insufficient information on whether the rest of the helplines meet the criteria for service availability.

Service accessibility builds on clearly communicating information in appropriate channels and ensuring telephone services can be accessed through mobile phones. Table 3 lists the identified government services.

Table 3: Mapping of government services for online and ICT-facilitated VAWG

Country	Helpline	Online portal
Algeria	Reporting cybercrimes through the Crime Division of the Police, 17 ⁴⁹	
	Reporting online extortion, hotlines 1548 and 1055, ⁵⁰	
	State Security Hotline, 1499642	
Bahrain	Anti-cybercrime Directorate, General Directorate of Anti- Corruption and Economic and Electronic Security at 992 or through WhatsApp messaging on +973 17108108 ⁵¹	Website for filing an online complaint on cybercrimes: https://www.acees.gov.bh/acees-form/



Egypt	Reporting through the General Prosecution Monitoring Unit, Hotline 108 52 National Council for Women, 15115 Cybercrime Directorate, Ministry of Interior, 0227926071, 0227928484, 0227921490, 0227921491	
	General Directorate for Information and Computer Technology, 0224065052, 0224065051 ⁵³	
Iraq	Child and Family Protection Directorate, Ministry of Interior, 131 ⁵⁴ and 497	
Jordan	Cyber Crime Unit, Public Security Directorate, +962 6 563 3404 ⁵⁵	Public Security Directorate, Facebook: https://www.facebook.com/cyber-crimesjordan/ Email: ecrimes@psd.gov.jo
	Jordanian National Commission for Women, 080022955 ⁵⁶ Toll-free, 24-7 legal consultation hotline on various issues	Email: wcbinfo@jncw.jo
Kuwait	Cyber Crime Department, Ministry of Interior, +96597283939	
Lebanon	Cybercrime and Intellectual Property Bureau, 01/293293 ⁵⁷	Internal Security Forces online portal: https://www.isf.gov.lb/ar/report
Libya	Joint hotline by the Ministry of Social Affairs and the United Nations Population Fund, 1417; the hotline provides legal counselling, psychological support and referral services for survivors of violence ⁵⁸	



Morocco	Police Hotline 19 from a landline and 112 from a cellphone ⁵⁹	Commission Nationale de Contrôle de la Protection des données à Caractère Personnel website: https://www.cndp.ma/fr/service-en-ligne/per- sonnes-concernees/plainte-en-ligne.html
		Online complaints can be filed with the Office of the Public Prosecutor: https://plaintes.pmp.ma/
		Online complaints on violence against women can be filed directly with cells within the tribunals: https://vcfemme.pmp.ma/
Oman	Online extortion can be reported to the Economic Crimes Division, 24569701, 24563004 60	Information Technology Agency email: info@rop.gov.om ocert999@ita.gov.om
Palestine	Survivors can file a complaint at the Police Family and Juvenile Protection Unit (FPJU)'s hotline available 24/7 by calling 106.61	Online complaints can be filed on the Palestinian Police Anti-Cybercrimes Unit website: https://www.palpolice.ps/contact-awareness-of-cybercrime or through the police application.
Qatar	Cyber Crime Investigation Centre at +974 2347444 or +974 66815757 ⁶²	Incidents can be reported to the Ministry of Interior email: cccc@moi.gov.qa
Saudi Arabia	Incidents of online extortion can be reported through the Anti- Extortion Authority in the General Presidency of the Promotion of Virtue and Prevention of Vice,	Incidents related to cybercrimes can be reported through the Ministry of Interior's Absher app: https://www.absher.sa/portal/landing.html
	1909 ⁶³	A cybercrime complaint can be filed online with the Public Security Department at: https://www.my.gov.sa/wps/portal/snp/services-Directory/servicedetails/6166
Somalia	UN Gender-Based Violence Hotline in partnership with Somali Women's Development Center, 5555 ⁶⁴	
Tunisia	Government hotline, 1899 ⁶⁵	



Abu Dhabi Police, 8002626, or SMS to 8002828	Incidents can be reported through the Aman app: https://www.adpolice.gov.ae/ar/aman/pages/default.aspx 66
Dubai Police through 8004888, +9718004888 outside the country	A complaint can be filed through the Dubai Police website: https://www.dubaipolice.gov.ae/wps/portal/ home/services/individualservicescontent/cyber- crime?lang=ar
Sharjah Police through the Najeed Service,	
	to 8002828 Dubai Police through 8004888, +9718004888 outside the country Sharjah Police through the Najeed

Civil society services

CSOs in the Arab States have made great strides in responding to online violence by advocating for women's rights, publishing guidelines to raise awareness among health professionals and female digital activists and proposing new legislation on online and offline VAW. Table 4 demonstrates some of the activities of the more prominent organizations in the region.

Table 4: Mapping of CSO services for online and ICT-facilitated VAWG

		Awareness	Helpline/	Psycho-	Legal	Propos-	Develop-	Devel-	Devel-
		raising/	online portal or	logical	support	ing draft	ing guide-	oping	oping
		advocacy/	complaint submis-	support/		laws on	lines for	guide-	guide-
		research	sion	case		online	women	lines to	lines for
Country/ service	CSO			manage-		and	activists	shape	health
type	CSO			ment		offline	and users	media	profes-
type						VAW		dis-	sion-
								course/	als and
								for jour-	social
								nalists	workers
		✓	✓	✓	✓			✓	✓
			Hotline avail-						
Algoria	The Was-		able Saturday to						
Algeria	<u>sila/Avife</u> Network		Wednesday,						
	- I COLLOGIA		9 am to 5 pm,						
			021332929						



	Motoon NGO	✓					✓	
	Assault Police	√	✓	√	✓			
Egypt	Center for Egyptian Women Legal As- sistance	√	√	✓	✓			
	Qawem	✓	√	✓				
Jordan	SIGI Jor- dan –Sis- terhood Is Global Institute	√						
	Abaad MENA	√	√ Hotline available 24/7, +96181788178					
Lebanon	KAFA NGO	√	✓ Helpline avail- able,+9613 018019	√	✓	✓		
Lebunon	<u>Fe-Male</u>	✓						
	The Lebanese demo- cratic women's gathering		√ Hotline available 24/7, +96171500808	√	√			
	The Lebanese council to resist violence against women		√ Helpline available at, +96171872477	√	✓			



Morocco	Mobilizing for Rights Associates (MRA)	√					
	Associa- tion Ta- hadi pour l'Egalité et la Ci- toyenneté (ATEC)	✓	Listening center, 0522995168		>		
	Assiwar – The feminist Arab Mo- vement	✓	✓ Hotline available for all survivors of vilence, +97204-8533044	√			
	Hamleh (The Arab Center for Social Media Advance- ment)	✓					
	Al-Mun- tada	✓					
State of	<u>SAWA</u>	√	√ Helpline available at 121	√	√		
Palestine	Tam – Women and Media Develop- ment	√		✓			
	Women Center for Legal Aid and Coun- selling	√	Helpline available at: 1800807060 (West Bank and Gaza), 026281497 (Jerusalem), 00970 2296 7914(5) (Ramallah), 00970 2296 7916 (Bethlehem)	✓			
	Women's Studies Center	✓					✓



	Marsad- nissa	✓			√		
Tunisia	Association Tunisienne Des Femmes Demo- crates	√					
	Le Centre de Re- cherches, d'Etudes, de Do- cumen- tation et d'infor- mation sur la Femme	>					
Yemen	Yemen Women Union	√		√	>		
	<u>Yodet</u>	✓	✓	√		✓	

Government-provided services

Most government services to respond to online VAWG are currently provided through the security apparatus, such as via websites run by the Ministry of Interior or General Security Directorate, or physically in police stations or public security directorates. There are generally not specific channels to report online violence. Moreover, personnel might not have proper training and experience in responding to this type of violence.

Services are also provided through cybercrime agencies as online VAWG is usually viewed as a cybercrime instead of as a form of VAWG with specific gender dimensions. In some cases, cybercrime directorates, like Jordan's Cybercrime Unit, have expanded their mandates to address VAWG but the department's main function is cybercrimes such as online embezzlement. The lack of focus on online violence as a VAWG issue often means that law enforcement overlooks the nuances of how it operates and affects survivors. Complaints may not be perceived as being as serious as other forms of violence. Without a gender lens, online VAWG may not be viewed as an issue that disproportionately affects women and girls.

Arab States have worked on introducing government and police-run helplines; 16 out of 22 countries now have helplines for survivors of violence, including online violence. They include Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Tunisia and the United Arab Emirates. Some countries have set up multiple hotlines. For instance, Egypt provides services through its government hotline, the Cybercrime Directorate in the Ministry of Interior and the General Directorate for Information and Computer Technology in the Institute for Human Development. As a step towards better data collection, Egypt also introduced a Monitoring Unit for Online Harassment under the General Prosecutor's Office.⁶⁸

Other service options may widen the scope for survivors to report and seek help for online violence. Some countries have dedicated online portals to report online violence, as is the case with the portal of Morocco's Commission Nationale de Contrôle de la Protection des données à Caractère Personnel. It includes advice on how people can protect themselves against misuse of their personal data and has investigative powers in terms of processing personal data in line with Law 09-08 of 2009.

Bahrain's General Directorate for Anti-Corruption and Economic and Electronic Security allows survivors to file an online complaint with the Anti-Electronic Crime Directorate. Saudi Arabia's Public Security Department hosts a website detailing reporting steps and providing a reference number to survivors to track progress on reports. The service is free and available to both citizens and residents of the country, and offers additional contact information



for complaints and other forms of support.⁶⁹ In the United Arab Emirates, survivors can file complaints through the <u>Dubai Police website</u> based on a comprehensive list of questions, including whether the abuse happened online or through ICT.

Many government services offer assistance via email, such as Jordan's Cybercrime Unit and the National Council for Human Rights. The Cybercrime Unit also allows users to contact it via its <u>Facebook page</u>. Police websites in <u>Lebanon</u>, Oman and the State of <u>Palestine</u> also offer email services for reporting online VAWG.

The United Arab Emirates provides SMS services to report cybercrimes including online VAWG. Bahrain has a <u>WhatsApp</u> service for reporting cybercrimes. A few governments have reporting apps, like the United Arab Emirates' <u>Aman App</u>, the Palestinian <u>police application</u>, and Saudi Arabia's <u>Absher App</u>. These not only facilitate remote service provision but may help in reaching younger people.

More traditional means of outreach include audio-visual media to raise awareness of online VAWG. In Iraq, the Ministry of Interior produced an advocacy film called 497 to raise awareness of cybercrime, including online VAWG.⁷⁰ It is named after the hotline provided by the government.⁷¹

Limited data prevent careful evaluation of how these services perform. There are no available reports on the number of online VAWG complaints that were received or how many were resolved, suggesting that governments need to make this information publicly available. This would support understanding of the full scope of the phenomenon and help evaluate the response. Many countries still need to take basic steps towards introducing hotlines and online complaint mechanisms.

Some governments are developing capacities to improve services. UN Women has worked with the Police Family Protection and Juvenile Unit (FPJU), and the Specialized Prosecution on Family Protection from Violence units in the State of Palestine on efficient management of online VAW cases. It has also helped to establish coordination mechanisms.

CSO services

CSOs efforts in Arab States have substantially contributed to combatting online VAWG, complementing government-provided services. Their efforts reflect their on-the-ground understanding of the gravity of online VAWG and the urgent need to respond to it. At the same time, they need to be more organized. Their efforts should be better promoted, including through partnerships with governments to broaden coverage.

CSO helplines and portals offer legal, psychological and family counselling for survivors of online VAWG. Some examples include:

- Palestine: <u>Assiwar The Feminist Arab Movement</u> and <u>SAWA Women's organization</u> hotlines are for all survivors of violence, including online VAWG.
- Yemen: The <u>Women Union</u> offers legal, psychological and family counselling for women through its hotline, including for online violence survivors.
- Egypt: <u>Qawem NGO</u> accepts submissions of cases from survivors of online VAWG through Facebook messaging.
- Lebanon: Abaad MENA, The Lebanese democratic women's gathering, and The Lebanese council to resist violence against women offer safe lines for women and girls to access 24/7.
- Morocco: Espace Maroc Cyberconfiance provides an e-helpline where survivors can request confidential advice and assistance. Using artificial intelligence algorithms, the service analyses user problems and suggests solutions. If needed, survivors can have a direct discussion with experts. The helpline responds to cases of phishing, online account hacking, personal account scans, false technical support scams, computer/webcam hacks, ransomware, extortion with intimate photos or videos, cyber harassment, and fraud. Moreover, Association ATEC created a phone application called "Stop violence numérique" in order to provide victims of online violence with practical information on dealing with digital violence. Women can file complaints through the application, and ATEC takes the responsibility for processing the complaint directly or for transmitting it to the competent authorities, ensuring that each case is followed up and at each legal stage. Additionally, the application provides rich and practical data and



information on online violence which includes, legislative texts, legal provisions and procedures, in addition to the names, numbers and addresses of the various stakeholders.⁷²

Many organizations provide case management and psychosocial support. Yemen's <u>Yodet</u> handles cases through their social media and an online portal dedicated to survivors. They also have a podcast on online security to raise awareness and have developed guidelines for human rights activists on online safety. In the State of Palestine, <u>SAWA Women's organization</u> provides services to survivors, including of cyberviolence, and has a partnership agreement with Facebook to remove harmful post used for blackmail.

<u>KAFA</u> in Lebanon provides legal aid for survivors of online violence. A helpline receives complaints and provides psychosocial support and case management. Egypt's <u>Center for Egyptian Women Legal Assistance</u> helps women claim legal, social, economic and cultural rights.⁷³ Algeria's <u>The Wassila/Avife Network</u> provides medical, psychological and legal support. The Palestine's <u>Women's Centre for Legal Aid and Counselling</u> offers psychological and legal support to survivors. Egypt's <u>Qawem NGO</u> provides psychological support for survivors and rehabilitation for perpetrators of online violence to reduce reoffending.

Some groups act as legal advocates, such as Lebanon's <u>KAFA NGO.</u> It has proposed draft laws to combat online and offline VAW.⁷⁴

Several CSOs have developed resources for training and raising awareness.⁷⁵ Algeria's The Wassila/Avife Network created guidelines for media and service professionals to deepen understanding of all forms of VAWG and end harmful stereotypes against women. Tunisia's Marsadnissa offers guidance on judicial rulings relevant to online violence, in addition to providing legal references on online VAWG for survivors.⁷⁶ The Palestine's organization Tamleh published survivor-centred guidelines on how to address online VAWG. The Women's Studies Centre, in collaboration with the Palestinian Ministry of Education, some private schools and the United Nations Relief and Works Agency for Palestine Refugees, created a training manual on developing life skills and preventing sexual exploitation as well as electronic blackmail.

The <u>Sisterhood Is Global Institute – SIGI Jordan</u> launched a campaign called "Against Online Harassment – Bekefi" to raise awareness among young people about cyber harassment and deepen understanding of cybercrime legislation.⁷⁷ In Lebanon, <u>Fe-Male's</u> "Screens Do Not Protect" National Campaign cast a spotlight on growing cases of online VAWG.⁷⁸

Other organizations advocate for digital literacy and narrowing gender gaps in the ICT field. Motoon in Egypt advocates for closing the gender gap in technology by providing scenario-based workshops where women learn to use different digital tools. It drafted a digital security manual and supports women public figures, journalists and digital activists, who are among the most frequent survivors of hacking and blackmailing.⁷⁹

Research surfaces the fast-moving evolution of online VAWG. The Centre de Recherches, d'Etudes, de Documentation et d'Information sur la Femme and the Association Tunisienne Des Femmes Démocrates researched VAWG in Tunisia, pinpointing gaps in legal protections for women online. ⁸⁰ Similar <u>research</u> was done by Morocco's Mobilizing for Rights Associates in collaboration with seven other NGOs. In the State of Palestine, 7amleh, Al- Muntada and TAM conducted several rounds of research on online VAWG.

Challenges related to service delivery

Lack of awareness of existing services: Information on services is reported through some government websites or the media but remains unstructured and sporadic. They may be no details on how services operate and how to reach assistance, making reporting more difficult.

Lack of accessibility to existing online portals, helplines and complaint mechanisms: Although many governments have introduced these mechanisms, they remain hard to find through a simple Google search. Specific keywords such as "reporting" and "cybercrime" will yield results. But other search terms such as "reporting" and "online harassment" or "social media harassment" or "online violence" lead to results that may not be as relevant. As many users in the region are bilingual, results are often different if a second language, such as French or English, is used. Si Similarly, information about helplines may not be linguistically or dialectically diverse enough to reach wider segments of Arab populations. Services provided by CSOs are not widely known and are mainly familiar to existing audiences that follow them on social media.



Lack of coordinated responses to online VAWG: Responses are often initiated by a single government authority or CSO, resulting in institutions working in silos. More partnerships and connections are needed to ensure services reach more people.

Law enforcement and judiciary officials have limited understanding and guidance on online VAWG: The lack of training for justice officials, police and prosecutors means that they do not respond to the needs of women and girls and have little understanding of the sensitivities of responding to online VAWG or VAWG in general, much less upholding gender justice. The underrepresentation of women in judicial and police circles often translates to survivors feeling they will not receive a fair hearing in male-dominated courts. There is a common perception that male judges interpret the law in a conservative manner based on tradition and religion. Additionally, when survivors decide to approach the police, the seriousness in which the case is treated depends largely on how the official present at the time of reporting deals with it. There are no standard guidelines or protocols on responding to survivors or handling online VAWG cases. Media reporting suggests that survivors often must repeat their accounts several times to several officers and may be encouraged to drop the case altogether.

Issues of confidentiality, privacy and respect for survivors' dignity arise during complaint filing and investigations: In many countries, survivors cannot remain anonymous when filing a complaint. Egypt recently introduced Art. 113 bis under the Penal Code to protect the identities of survivors of sexual assault and harassment. Similar legal clauses should be adopted across Arab States.

Limited counselling and pro-bono legal support to survivors of online VAWG: Women facing online VAWG may suffer mental health consequences and face costs to pursue legal action against perpetrators. Poorer women in particular may not be able to pursue their complaints. Survivors in some countries have civil remedies that require a lower burden of proof but most survivors are unable to afford the expenses of a civil suit that could go on for years. Civil lawsuits also result in no practical compensation to survivors unless perpetrators are wealthy enough to pay damages; this limits recourse to only a few survivors.

Challenges faced by women in reporting online and ICT-facilitated VAWG

Trivialization of online violence and survivor blaming: Women often face dismissive attitudes from law enforcement and may be held responsible for being subjected to these incidents. This creates a culture of underreporting and makes survivors reluctant to speak out.

Lack of technical knowledge: Law enforcement bodies, court systems, magistrates and judges do not have the know-how to respond to complaints of online violence or manage electronic evidence.⁸⁶

Anonymity and pseudonymity: Online anonymity protects harassers and makes it harder to identify them. In addition, women with anonymous or pseudonymous online profiles are adversely affected by the policies on anonymity of certain Internet intermediaries. Instead of acting against harassers, intermediaries sometimes require women to disclose their identity, which can put them at risk of serious harm.⁸⁷

International good practices

International good practices have great potential to inform responses to online VAWG in the Arab States. They can also be used to examine where Arab countries stand in terms of needed areas of development, and to identify successful interventions by Arab governments and CSOs.

Government good practices

Helplines, online chat support, email and text services: Successful practices in many countries involve helplines to address online VAWG. Some target different age groups and include online chatting services. There are specific helplines for survivors of sexual abuse⁸⁸ and general mental health helplines that extend to survivors of online VAWG.⁸⁹ Good practice helplines provide counselling and information for survivors, sometimes referring survivors to other services.⁹⁰ While not all helplines are available 24/7, their websites clearly detail working days and hours, and have a call back system for survivors to find assistance on holidays.⁹¹ Australia's Esafety, and the United Kingdom's Revenge Porn Helpline are some of the most prominent examples of these services. The Revenge Porn Helpline can be contacted via Facebook Messenger. The website clearly states that female practitioners will pick up the call.⁹²



What makes these services stand out: They clearly state their working hours, have a call back system in place that allows the caller to choose suitable times, respond to different age groups and types of violence, offer an appropriate referral system and use various communication channels.

Online portals for filing complaints and collecting evidence: Some government-run websites have detailed information on how to file complaints, including Q&A sections, such as United Kingdom and Australia. Once complaints are filed, survivors receive a complaint number. The complaint is then assessed against certain criteria, including who can report and whether more information is needed. An appropriate course of action is recommended to the survivor within 48 hours or less. Additionally, the websites advise survivors on how to collect evidence.⁹³

What makes these services stand out: They provide a safe remote channel for reporting, allow an option for anonymity, offer detailed information on reporting mechanisms, have a tracking system for complaints, frame survivor expectations by giving an exact timeline for the service, and support survivors with advice on evidence needed for their cases.

Legal guidance: Some government websites offer a section on relevant laws covering different forms of online VAWG, with advice and resources on how to find a lawyer, such as United Kingdom and Australia. Resources may include lists of community legal centres and legal aid commissions⁹⁴ as well as national organizations working on similar issues.⁹⁵ Many also provide legal case studies based on real-life experiences to inform survivors taking similar courses of action.⁹⁶

What makes these services stand out: They help government and CSO services collaborate and coordinate their efforts, link different legal services and share real-life experiences.

Connecting survivors to the police: Some government websites, such as in the United Kingdom, advise survivors on evidence to gather when going to the police and what to expect there. Within police services, there may be specialized officers, such as domestic violence officers, ethnic community liaison officer or multicultural community liaison officers. In some cases, a specified agency can contact the police on behalf of survivors.

What makes these services stand out: They guide survivors on the type of evidence needed and provide specific trained officers for each type of violence. They also define agencies that can report on behalf of the survivor.

Introducing civil penalties and protection orders: In some countries, government collaborates with online NGOs websites on cyber VAWG to introduce civil penalty schemes, where authorities ask survivors to fill out a form to report abuse, especially image-based forms, based on specific guidelines, such as in New Zealand. In line with prior agreements with Internet intermediaries and based on civil society evaluation, the authorities then issue an enforceable notice to remove the image. There is also detailed guidance on protection orders and how the police can file these on behalf of the survivors.

What makes these services stand out: They build on effective agreements with Internet service providers or intermediaries, and have specific guidelines on what constitutes abuse, which prevents political biases from influencing the use of agreements.

Referral to other services: Websites may refer survivors of online VAWG to other services for survivors of violence in general, including safety planning, medical care, and financial aid. Coordinated responses by governments and CSOs amplifies the potential impact of an intervention to reach more beneficiaries. For instance, the United Kingdom's Stop Online Abuse list provides several civil society helplines for different age groups in case they encounter online abuse or need mental health and psychological support. Citizens who visit the website can find other nearby service providers.

What makes these services stand out: They demonstrate understanding of connections between offline and online violence and the value of coordinating different kinds of support for survivors.

CSO good practices

Online helplines and email support for survivors: Some helplines operate on a global scale and aim to help women improve their digital security practices. They also provide rapid-response emergency assistance for women already under attack. Examples are Access Now, which is available 24/7 in eight languages. It also aims to influence digital policies, advocacy campaigns and funding to organizations and individuals working on digital rights violations. Pakistan's Digital Rights Foundation operates a Cyber Harassment Helpline that is South Asia's first dedicated helpline for cases of online harassment and violence.



What makes these services stand out: They recognize the global need to respond to online violence, which can take place across borders and at any time. Providing services in different languages responds to global demand.

Detailing criminal penalties for perpetrators: Some CSO websites provide information on potential penalties for perpetrators. For example, in New Zealand, <u>Netsafe's</u> website include details on fines, which can be up to USD 50,000 for an individual or up to USD 200,000 for a corporation, or up to two years in jail for sending a digital communication with intent to cause harm.

What makes these services stand out: They acknowledge online violence and publicize its consequences and encourage survivors to report cases by informing them of penalties for perpetrators. This can help assure survivors that they will attain justice.

Advising and guiding survivors on contacting Internet intermediaries: Some CSOs have close partnerships with major social media platforms and Internet intermediaries. The National Network to End Domestic Violence and Facebook have recently collaborated to produce information for survivors of domestic violence, sexual assault and stalking on how to use Facebook while ensuring their safety and privacy.

What makes these services stand out: Close collaboration with Internet intermediaries boosts the response to online violence and offers timely support to survivors.

Developing guidelines for women and girls on online safety: Some organizations develop guidelines to raise the awareness of women and girls on online safety and online violence. For example, Project Shift: Creating a Safer Digital World for Young Women, led by the Young Women's Christian Association Canada, developed "A Guide for Trusted Adults: Practical Tips and Tools for Supporting Girls and Young Women Navigating Life Online". EQUALS Digital Skills Fund is a grass-roots fund supporting the digital skills of women and girls across Africa, Asia and Latin America.

What makes these services stand out: They create customized training for different age groups in line with diverse experiences of online violence and build the capacities of individuals to protect themselves.

Rehabilitation of perpetrators: The United Kingdom's Sex Offender Treatment, Awareness and Rehabilitation Therapy offers cognitive-behavioural interventions, behaviour modification and relapse prevention with men who have committed contact or online offences. The Coastal Child and Adult Therapeutic Service focuses on rehabilitating adults and young people who engage in harmful sexual behaviour to prevent further offenses, including online.

What makes these services stand out: While they avoid justifying perpetrators' behaviour, they also seek to reorient it and support a healthier integration in society.

Awareness-raising campaigns and advocacy: <u>Take Back the Tech! campaign</u> raises awareness on online gender-based violence and digital safety women, queer and gender-diverse people. <u>#SheTransformsTech</u>, is a crowdsourced campaign and global poll to synthesize stories and input from grass-roots women from over 100 countries into recommendations for global policymakers and technology companies. <u>The International Federation of Journalists</u>, together with the <u>South Asia Media Solidarity Network</u>, has campaigned against the online abuse of women journalists and launched the <u>Byte Back campaign</u> to fight online harassment.

What makes these services stand out: They are inclusive and recognize the different magnitudes and types of violence women face in relation to intersectional and sexual identities.

Developing guidelines for women journalists and activists: As journalists and activists are often the target of online VAWG, <u>Pen America</u> created a digital manual for them profiling effective strategies and resources to address online abuse.

What makes this service stand out: It provides specific training and capacity building to women journalists and activists as the group often d most targeted by online violence.



Good practices in Arab States

Government services

Government and police-run helplines: Helplines for survivors of online violence are increasingly available and, in some cases, are provided through multiple institutions. This is the case in Egypt, with services through the main government hotline and hotlines under the Ministry of Interior and Institute for Human Development.

Online portals and other new avenues to report cases: Technology is being used to expand access to reporting cybercrimes including those involving VAWG. Examples include online portals in Morocco and Saudi Arabia. The Lebanese Internal Security Forces and Bahrain's General Directorate for Anti-Corruption and Economic and Electronic Security now allow survivors to file online complaints. In the United Arab Emirates, survivors can file complaints through the Dubai Police website.

Many governments offer services via email, as in Jordan and Oman. Jordan also uses Facebook to allow users to report cases. The United Arab Emirates and Bahrain offer SMS services, while the United Arab Emirates and Saudi Arabia have dedicated cybercrime reporting apps.

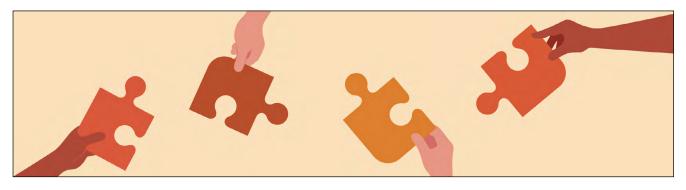
CSO services

Offering an added component of awareness raising and advocacy that is lacking in government services: Since government responses have primarily focused on developing helplines and complaint mechanisms, CSOs have complemented these efforts in key areas, such as sensitization on online VAWG. Examples include Egypt's Assault Police highlighting cases of survivors of online and offline violence through their Instagram account. The Palestinian Initiative for the Promotion of Global Dialogue and Democracy's "Harassment is Harassment" campaign advocates against sexual harassment on social media.

Helplines and online portals: Efforts mostly mirror those of governments, providing opportunities for reaching more survivors. Examples include Egypt's Qawem, which accepts case submissions on Facebook, and Morocco's innovative Espace Maroc Cyberconfiance, which uses artificial intelligence algorithms to respond to users.

Legal aid: Organizations providing legal aid help survivors obtain justice, especially those from poorer backgrounds. NGOs like KAFA in Lebanon offer legal assistance for online VAWG survivors.

Policy recommendations



The conclusion of the mapping of laws and services relevant to online VAWG in the Arab States led to the identification of several core stakeholders. They have different roles to play in addressing issues such as the lack of effective legal frameworks, insufficient responses by Internet intermediaries and inadequately trained judicial and law enforcement staff.

In particular, there is strong potential for partnerships between governments and CSOs to tackle online VAWG. CSOs have access to communities and schools in addition to a presence online. This capacity can be further tapped to educate women and girls on legal resource and access to justice. CSOs can also help in the rehabilitation of perpetrators and deployment of preventative measures.

The following recommendations draw from several sources. First, they were inspired by ongoing legal reforms and service provision efforts in the Arab States that are relevant to online violence. Second, identifying international experiences and good practices offered insights that can guide future efforts, particularly in the absence of international conventions on online VAWG.



Figure 1: Mapping of stakeholders relevant to online VAWG in the Arab States

Governments

- Legislators develop frameworks that govern online VAWG.
- Develop interventions that target VAWG and are backed by the means for implementation.
- Have a greater role to play in collaborating with Internet intermediaries to find perpetrators and stop the publication of harmful material.
- Need to undertake nationwide sensitization campaigns on online VAWG.

CSOs

- Complement government efforts to address online VAWG.
- Provide additional services such as developing guidelines and conducting awareness campaigns.
- Can play a greater role in sensitization in communities and schools.
- Can play a greater role in the rehabilitation of perpetrators.

Women and girls (users of the internet)

- Are not involved in the development of interventions by governments and CSOs.
- Are often discouraged by societal norms to report incidents or take legal action.
- May not have full knowledge of laws and procedures to sue perpetrators.
- May require training on using Internet tools that provide protection.

Law enforcement and judiciary

- Often do not have the necessary technical skills to handle cases of online VAWG.
- Lack standard procedures to handle VAWG cases in a sensitive way.
- Require training and established reporting mechanisms to adequately respond to online VAWG.

Internet intermediaries

- Internet service providers can help to identify perpetrators' names and locations.
- Need to abide by international human rights conventions and ensure protection of women online (OHCHR, 2018).
- Internet platforms should publish clear guidelines for users to report abuse.

Governments

Introduce specific national legislative frameworks on online and ICT-facilitated VAWG: Arab States should tackle online VAWG within a framework of human rights, aiming to achieve gender equality and stop discrimination and violence. Governments should clearly prohibit and criminalize all types of online VAWG under existing laws or by introducing new legislation. Laws or amendments should explicitly refer to online VAWG and acknowledge its different forms. For criminal offenses, legal clauses should determine what constitutes intent to cause harm in using technology so survivors can prove such intent in criminal court. Civil offenses should be introduced, such as take-down processes in liaison with Internet intermediaries. Protection orders should be provided for survivors at risk from perpetrators, who may be threatening to share intimate images or monitoring their actions, among other possibilities. Any breach of the protection order should result in the incarceration of the perpetrator. Legal clauses



should also establish new agencies mandated to address online VAWG or assign this mandate to an existing authority that responds to cybercrime, with a clear distinction between cybercrimes such as computer intrusion and online VAWG. Other steps are to introduce clauses on provider liability requiring Internet intermediaries to disclose the identity and location of perpetrators.¹⁰¹ Penal codes and domestic violence and sexual harassment statutes should be amended to acknowledge explicitly the potential for an ICT component in VAWG crimes.

Develop online websites and accessible one-stop shops. Governments should establish portals with legal information, legal aid, reporting mechanisms and service referrals for survivors. These can operate under standalone agencies, police units or units within general security directorates that already provide services to address online VAWG. The websites should have substantive information on laws that cover online VAWG; explain different forms of online VAWG; outline the prosecution and judicial process so survivors know what to expect; offer advice on how to collect evidence on different platforms; help connect survivors to police and legal aid services as well as Internet intermediaries; support the initiation of take-down requests and protection order applications; offer a reporting mechanism with anonymous forms; explain how the survivor's information will be protected and the complaint handled; and explain the highlights of relevant laws in lay terms.

Adopt a survivor-centred approach when responding to online VAWG. Achieving gender justice requires addressing the root causes of gender inequalities. These inequalities are often reflected in societal narratives that blame women and put the onus on them to seek redress to their grievances. They are also reflected in how the police and justice sector approach VAWG issues in general. Public morality and maintaining the integrity of the family unit are the main focus rather than women's rights to security and bodily integrity. This kind of emphasis risks creating a hierarchy of "more or less worthy survivors" and can sometimes shift blame to survivors. ¹⁰² In responding to online VAWG, a survivor-centred approach should prioritize empowering women and girls and realizing their rights, needs and wishes. It revolves around women receiving a full complement of psychological support, legal services, and security and health-care services. This approach should inform awareness campaigns in schools as well as training efforts and prosecution guidelines for the judiciary.

Provide more access to mental health care and legal support for survivors of online VAWG: Arab State governments and CSOs should prioritize mental health support for survivors of online VAWG to offset its many adverse effects. Further, since many survivors cannot afford the legal cost of litigation, governments and CSOs should provide pro-bono legal aid.

Establish government agencies that specialize in online VAWG or introduce this mandate to existing agencies, with trained staff. Agencies should receive complaints about online VAWG through helplines, email, the submission of forms, online chat support, etc.. They can host quasi-judicial forums to investigate complaints and reach a verdict, and can also provide advice or mediation services. They may establish a wide network of relationships with Internet intermediaries domestically and abroad; sponsor training and sensitization campaigns on safe Internet use in collaboration with the government and CSOs, especially in schools; and conduct and publicize research on online VAWG. Staff should receive training on gender to respond to the rights and needs of women and girls and resolve complaints without retraumatizing survivors. Staff should be able to provide sound legal advice and liaise with partner agencies and Internet intermediaries domestically and abroad.

Develop school programmes to advance online safety for women and girls: Online safety awareness and education should start in schools. Government agencies and CSOs can collaborate to provide information about online VAWG and how to stay safe. CSOs can also support development of curricula for online safety. For instance, **New Zealand's** Netsafe agency launched a curriculum in collaboration with the Ministry of Education for accredited schools to create a safe online learning environment and teach a proactive approach to online safety, citizenship and wellbeing.

Law enforcement and judiciary

Train members of law enforcement and the judiciary on responding to online VAWG from a gender justice perspective. Arab State governments, in collaboration with CSOs, should provide training for magistrates, lawyers, police and front-line workers to ensure their ability to investigate and prosecute perpetrators. The next goal should



be fostering public trust in the judicial response to cases of online and ICT-facilitated violence. This can be achieved by developing clear guidelines and standard procedures that are gender-responsive and grounded in human rights, and that make reporting easier and reduce re-traumatization.¹⁰³ Special judges and prosecutors sensitized on online VAWG should be appointed and charged with responding to the needs of women and girls and ensuring they are treated with dignity and respect. More female judges and prosecutors should be appointed, and training and resources provided to develop judicial capacities to address online VAWG from a gender justice perspective.¹⁰⁴ Ensuring laws are properly enforced calls for continuously training judges and monitoring court decisions. In some cases, there will be a need to promote gender equality as complementary to religious teachings of all faiths (ibid.).

Introduce technology-related civil remedies as well as criminal offenses: Countries should amend or introduce new criminal and civil penalties for perpetrators of online VAWG. Reparation measures that go beyond fines, compensation or imprisonment should be introduced. These can include restitution, rehabilitation and guarantees of non-repetition, combining symbolic and material measures. Laws should include provisions on **prevention** to stop the publication of harmful material against women online and guarantee their fast removal. ¹⁰⁵ This includes issuing **interim orders** or **take-down requests** so that perpetrators promptly cease circulating material pending a resolution of a legal case. Survivors should also be able to obtain **protection orders**, which can be facilitated by the police. A decision should then be made in family or civil court to prevent abusers from posting or sharing intimate images without consent or engaging in other form of harassment or violence, whether online or offline. New and existing partnerships between Arab States and Internet intermediaries can facilitate enforcement.

Ensure collaboration between law enforcement and judicial officials. This may require standard operating procedures that guide clear referral pathways and harmonize the judicial process.

Internet intermediaries

Liaise with governments and CSOs to fast-track reporting of online VAWG and help identify perpetrators: Internet intermediaries should collaborate with States in adopting transparent complaint mechanisms for cases of online and ICT-facilitated violence against women and girls. Such mechanisms should be in local languages and include clear procedures to request the removal of harmful content.¹⁰⁶

Address the gender imbalance in technology fields. This could help create more women-friendly policies and accelerate steps to address online VAWG.¹⁰⁷

CSOs

Forge partnerships with government agencies to develop coordinated responses to online VAWG. CSOs can reach more women and girls and develop more targeted interventions through working with government agencies to address online VAWG. Several international examples demonstrate the value of such partnerships, particularly in creating referral pathways between government agencies and CSOs helping women and girls across different age and ethnic groups, including minorities. CSO-government partnerships can also mean better targeting for national school awareness campaigns. At the same time, governments should provide enough space for CSOs to operate in addressing online VAWG and other gender justice issues.¹⁰⁸

Conduct awareness-raising campaigns on online VAWG. CSOs can sensitize women at large in using the Internet safely and on ways to report abuse. This is a first step towards shifting the way online abuse is understood and the seriousness with which it is treated.¹⁰⁹

Introduce interventions that target the psychological rehabilitation of perpetrators. These should seek to prevent new offenses and reintegrate perpetrators in society. Research has shown that sex offenders treated in this way were less likely to reoffend. Getting law enforcement officials on board and overcoming public misconceptions about offenders are major obstacles, however. Offenders may not be willing to disclose all their offenses. Any interventions targeting rehabilitation need to be piloted during or after offenders have served their sentences.



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