

Combating Technology Facilitated Violence against Women and Girls

Discussion paper

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Acronyms

Budapest Convention	Council of Europe Convention on crimes committed via the Internet / computer networks.
CEDAW	United Nations Committee on the Elimination of Discrimination against Women.
CoE	Council of Europe.
Cybervawg	Cyberviolence against women and girls.
EIGE	European Institute for Gender Equality.
GREVIO	Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence.
ICT	Information and Communications Technology
Istanbul Convention	Council of Europe Convention on preventing and combating violence against women and domestic violence.
MLA	Mutual Legal Assistance.
NCII / NCDII	Non-consensual Intimate Images / Non-consensual distribution of Intimate Images.
OTFVAW	Online Technology Facilitated Violence against Women.
OVAWG	Online Violence Against Women and Girls.
TFVAWG	Technology Facilitated Violence Against Women and Girls.
VAWG	Violence Against Women and Girls.
VAW	Violence Against Women.
VLOPs	Very Large Online Platforms. ¹

¹ As designated under the Digital Services Act.

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Background & Main Issues in TFVAWG

1. Terminology and approaches

There is no universally agreed term or definition that encompasses the phenomenon of online and digital forms of violence against women and girls. Nevertheless, existing Council of Europe standards, such as the Convention on Preventing and Combating Violence against Women and Domestic Violence (“Istanbul Convention”) and the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (“Lanzarote Convention”), offer important relevant legal standards and definitions that apply both to the offline and online sphere. Detailed guidance has been offered in an authoritative interpretation by GREVIO of the standards of the Istanbul Convention in General Recommendation No.1 on the digital dimension of violence against women.² The Lanzarote Committee has also issued an Interpretative Opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies (ICTs)³.

In alignment with the work carried out in preparation for the 67th session of the Commission of the Status of Women (CSW67)⁴ and the Terms of Reference of the GEC/PC-eVIO, this document uses the term ‘technology-facilitated violence against women and girls’ (TFVAWG). A multitude of terms and acronyms are used – often interchangeably – by various bodies, institutions, and mechanisms to refer to this phenomenon.

1.1. The spectrum of TFVAWG behaviours

TFVAWG behaviours encompass a range of abusive and violent behaviours all affecting women and girls specifically because they are women and girls.

For instance, online harassment and trolling involve the persistent targeting of women with abusive messages, threats, and derogatory comments. This can occur on social media platforms, forums, and other online spaces, or through the use of internet connected devices, often with the intent to silence, intimidate, or humiliate victims. It can include, for example, doxing, which involves the malicious public release of a woman's personal information, such as home address, phone number, and workplace, with the intent to incite harassment or physical harm. Women human rights defenders, politicians, and journalists constitute groups which are particularly impacted by this form of violence.

Similarly, technological tools can be used to commit illicit surveillance and stalking, whereby perpetrators monitor, track, and control the movements and activities of women and girls. This can include the use of spyware, IoT devices, GPS tracking alongside more general monitoring of social media activity to determine location, habits, and activities of women and girls. Often the latter provides information and data

² GREVIO's General Recommendation no.1 (2021) on the digital dimension of violence against women, available at <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147>

³ See <https://rm.coe.int/t-es-2017-03-en-final-interpretative-opinion/168071cb4f>

⁴ [Expert Group Meeting report: Technology-facilitated violence against women: Towards a common definition](#), 2023.

that can be used as part of abuse, and harassment / stalking behaviours. This 'monitoring' type of TFVAWG can be utilised by current or former intimate partners to commit and/or exacerbate domestic violence, but is also a form of TFVAWG deployed by strangers, heightening the harm and subjecting victims to enhanced harms through the anonymisation of abusive and violent behaviour. Anonymous TFVAWG and so-called 'stranger danger' can often create a heightened and inflated sense of danger whereby unknown or unidentifiable individuals perpetrate TFVAWG – these individuals may be within the private sphere of the victim, or outside of it.

The non-consensual dissemination / production of intimate images, often referred to as "revenge porn," is also a prevalent form of TFVAWG, notably so with the recent rapid rise of AI-generated 'deep fake' pornography and synthetic media. This can often lead to behaviours amounting to digital coercion / sextortion and involve threats to release sensitive information or images unless certain demands are met. This also includes manipulating online content to misrepresent or defame a woman or girl, using technology to control and / or blackmail victims.

1.2. United Nations approach

The UN General Assembly has referred to TFVAWG using the phrase 'online violence against women and girls',⁵ noting that this form of violence falls within the spectrum of behaviours that require attention and further efforts to eliminate them from society. This phrasing follows on from the [2018 report](#) on online violence against women and girls from the UN Special Rapporteur on violence against women, its causes and consequences. The phenomenon is defined as "any act of gender-based violence against women that is committed, assisted or aggravated in part or fully by the use of ICT, such as mobile phones and smartphones, the Internet, social media platforms or email, against a woman because she is a woman, or affects women disproportionately".

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as one of the key international legal instruments, has as its purpose the elimination of all forms of discrimination against women that intends to, or has the effect of, limiting and preventing women from equal participation in all spheres of public and private life. In alignment with Article 1 of CEDAW, [CEDAW Committee General Recommendation No 35](#) refers to "contemporary forms of violence occurring on the Internet and digital spaces."

[UN Women](#) use the phrase "online and technology-facilitated violence against women girls". In its work carried out in preparation of CSW67, it uses "technology-facilitated violence against women and girls".

The UN Convention on the Rights of the Child and, in particular, its Optional Protocol on the sale of children, child prostitution and child pornography, are also particularly relevant, as is the work of the SRSG on Violence against Children and the UN Special Rapporteur on the sale and sexual exploitation of children.⁶

⁵ UNGA, *Report of the Secretary General on the Intensification of efforts to eliminate all forms of violence against women and girls* (18 August 2022) UN Doc. A/7/302; UN Women, 'EVAWG Infographic and Recommendations' (2022).

⁶ See 2021 report on the [Gender dimension of the sexual exploitation of children](#) and call for input on [Existing and Emerging Sexually Exploitative Practices against Children in the Digital Environment](#).

1.3. EU and EIGE approach

The EU [Gender Equality Strategy](#) 2020-2025 specifically highlights online forms of violence that target women as one of the areas for attention, referring to “online violence targeting women”:

“Online violence targeting women has become pervasive with specific, vicious consequences; this is unacceptable. It is a barrier to women’s participation in public life. Bullying, harassment and abuse on social media have far-reaching effects on women’s and girls’ daily lives. The Commission will propose the Digital Services Act to clarify online platforms’ responsibilities with regard to user-disseminated content.⁷ The Digital Services Act will clarify what measures are expected from platforms in addressing illegal activities online, while protecting fundamental rights. Users also need to be able to counter other types of harmful and abusive content, which is not always considered illegal but can have devastating effects. To protect women’s safety online, the Commission will facilitate the development of a new framework for cooperation between internet platforms.”⁸

The European Institute for Gender Equality (EIGE) uses the term "cyberviolence against women and girls" (cybervawg). This terminology has been reflected in the recently adopted Directive on Combating Violence Against Women and Domestic Violence (“EUVAW Directive”).⁹ The EUVAW Directive makes explicit reference to:

- i. Cyberviolence.
- ii. Cyber stalking.
- iii. Cyber harassment.
- iv. Non-consensual sharing of intimate or manipulated material
- v. Cyber flashing
- vi. Cyber incitement to violence.

The EU Directive 2011/93/EU on combating sexual abuse and exploitation of children is currently being reviewed in order to strengthen efforts with regard to online forms of such abuse and exploitation.

⁷ The Digital Services Act (DSA) introduces obligations on all online platforms through due diligence obligations. Such obligations require platforms to outline in their terms and conditions any restrictions they impose on their services, along with any content moderation tools that are deployed. Platforms which host content are required under the DSA to introduce flagging, removal, and explanation of removal processes for content on their platforms. The provisions introduced in the DSA relate only to illegal content, not to harmful albeit legal content. The DSA does not introduce direct regulation of harmful content. The DSA does explicitly require risk assessments to be made for gender-based violence but this is regarded as a systemic risk and therefore only the very largest online platforms (VLOPs) are required to undertake such risk assessments.

⁸ European Commission, ‘Communication from the Commission to the European Parliament, The Council, The European Economic and Social Committee and the Committee of the Regions. A Union of Equality: Gender Equality Strategy 2020-2025’ COM (2020) 152 (5 March).

⁹ Directive of the European Parliament and of the Council on combating violence against women and domestic violence’.

1.4. Council of Europe approach

GREVIO's General Recommendation No. 1 introduces the term "the digital dimension of violence against women" to signify that this form of violence is a continuum of gender-based violence occurring in the real world, encompassing both online and technology-facilitated manifestations. General Recommendation No. 1 provides a non-exhaustive list of categories of behaviours that can amount to TFVAWG which are addressed by various articles of the Istanbul Convention:

- i. Online sexual harassment covered by Article 40 of the Istanbul Convention, which includes NCII / NCDII; Coercion & threats; sexualised bullying, cyberflashing and sexist hate speech;¹⁰
- ii. Online technologically facilitated stalking / stalking via ICT means covered by Article 34 of the Istanbul Convention.¹¹ This includes behaviour such as threats (particularly of sexual nature); damage to reputation; monitoring and gathering information on victim(s); identity theft; solicitation for sex; impersonation the victim; harassing with accomplices; spying; stealing passwords; hacking devices; use of spyware or geo-location apps; theft of devices; IoT monitoring.¹²
- iii. Digital dimension of psychological violence (Article 33 of the Istanbul Convention) to impair psychological integrity through coercion and threats.¹³

The 2023 [Reykjavik Declaration](#) refers to “new forms of violence against women and vulnerable groups amplified by modern technologies”, also noted in the Council of Europe Gender Equality [Strategy 2024-2029](#) as an emerging challenge. The terms of reference adopted by the Committee of Ministers refer to TFVAWG. The definition is based on the elements and behaviours that are included in GREVIO General Recommendation No 1.¹⁴ Paragraphs 23 and 29 of General Recommendation No. 1 refer to the digital dimension of violence against women as a range of acts committed online or through the use of technology.

“GREVIO considers that the term “violence against women in its digital dimension” or “the digital dimension of violence against women” is comprehensive enough to comprise both online acts of violence and those perpetrated through technology, including technology yet to be developed. It also allows for the recognition that not all acts of violence against women in the digital sphere are of the same severity, nor do they all meet the threshold for criminal prosecution within individual states. In view of the evolving nature of technology and opportunities for harmful behaviour, the term “violence against women in its digital dimension” will allow types of behaviour and action yet to emerge to come within its remit. Adopting such inclusive terminology will enable the present General Recommendation to address all forms of violence against women perpetrated via digital means.”¹⁵

¹⁰ Istanbul Convention Art 40; GREVIO Recommendation No 1, paragraphs 37-39.

¹¹ Istanbul Convention Art 34; GREVIO Recommendation No 1, para 40.

¹² Istanbul Convention Art 34; GREVIO Recommendation No 1, para 41.

¹³ Istanbul Convention Art 33; GREVIO Recommendation No 1, para 42.

¹⁴ Council of Europe, ‘GREVIO [General Recommendation No. 1](#) on the digital dimension of online violence against women’ (20 October 2021).

¹⁵ Council of Europe, ‘GREVIO [General Recommendation No. 1](#) on the digital dimension of online violence against women’ (20 October 2021), para 29.

The proposed recommendation follows the definition set out by General Recommendation No. 1, in particular in the way it situates the phenomenon within the continuum of violence against women and girls. Nevertheless, it uses the term TFVAWG in an effort to align with agreed UN language. It is proposed to include 'girls' specifically because they are particularly disproportionately victimised by some forms of technology-facilitated violence.

In addition to the Lanzarote Convention and the Interpretative Opinion referred to above, other relevant Council of Europe resources include an [Opinion on Article 23 of the Lanzarote Convention](#) - Solicitation of children for sexual purposes through information and communication technologies (Grooming), [CM/Rec\(2009\)10](#) on Policy Guidelines on Integrated National Strategies for the Protection of Children from Violence, the CM [Guidelines on child friendly justice](#), and [CM/Rec\(2018\)7](#) on Guidelines to respect, protect and fulfil the rights of the child in the digital environment.

2. Main Issues in Combatting TFVAWG

- i. **TFVAWG should be explicitly recognised as a form of discrimination and a violation of the human rights of women and girls.**
 - Member states have an obligation to protect the same human rights online as are protected offline. Consideration should be given specifically to the unequal power dynamics adversely affecting women and girls in situations of TFVAWG both in their experiences as victims and in their experiences of reporting TFVAWG.
- ii. **Intersecting factors that exacerbate discrimination against women and girls should be explicitly considered.**
 - Intersectional discrimination may arise where more than one protected characteristic is in play, e.g. ethnicity and sex, rather than sex alone. Prejudices based on a combination of protected characteristics can therefore combine to produce compounded harm.

A gender-equal Europe for everyone¹⁶

[...] Discrimination can be based on a variety of grounds, such as sex, gender, "race",³ colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity and expression, sex characteristics, age, state of health, disability, marital status, migrant or refugee status, or other status.

An intersectional approach can allow for insight into the more complex forms of discrimination, exclusion and violence to which individuals may be exposed. Various grounds on which such discrimination is based may intersect, leading to unique lived experiences and vulnerabilities. In the context of gender equality policies, an intersectional approach can be used to understand, take into account and address the interactions between gender and sex and other personal characteristics/statuses as listed above and the resulting compounded

¹⁶ Council of Europe, [Gender Equality Strategy 2024-2029](#) CM(2024) 17 (6 March 2024).

forms of discrimination. Anyone can be vulnerable to these forms of discrimination, but certain groups of women and girls are particularly exposed to them and thus stand to benefit in particular from an intersectional approach to gender equality policies.

The expression “all women and men, girls and boys” includes persons in all their diversity, with their different characteristics/statuses as listed above. This affirms the commitment to leave no one behind and to achieve a gender-equal Europe for everyone.

iii. Victims of TFVAWG have a right to access to justice.

- Victims must be heard, taken seriously, treated with dignity and respect, and supported in their pursuit of access to justice.
- Barriers and obstacles representing restrictions on access to justice should be removed. For example, alternative dispute resolution processes such as mediation, conciliation or arbitration should not be mandatory for victims; TFVAWG should be taken seriously, irrespective of the location or method of reporting; victim support services should be alerted when reports are made.

iv. Laws aiming to capture forms of TFVAWG should include a gender perspective.

Criminal law provisions may well be gender-neutral. Nevertheless, legal provisions addressing TFVAWG acts which violate the physical, sexual and / or psychological identities of women and girls should explicitly acknowledge the gendered dimension of such forms of violence and the gendered harm caused by them.

v. Investigations of reported TFVAWG should be approached with the same diligence afforded to other forms of cybercrime and should be conducted in a trauma-informed manner. Victim-blaming attitudes should be actively prevented.

- Electronic evidence identification, preservation, and gathering should be prioritised with specific resource support.
- First responders should avoid asserting that the victim is responsible for what has happened when victims report TFVAWG. Gender sensitive language should be used when communicating with victims.
- First responders and investigators should avoid jokes, banter, mockery and similar behaviours and language.

vi. Evolving nature of technology and need to cover future forms

- Technology continues to evolve, and the rapid rise of new behaviours, including AI-generated or manipulated content poses new challenges to the criminalisation, investigation, and reporting of TFVAWG.
- The evolution of new mechanisms of perpetrating TFVAWG poses an ongoing challenge which requires continuous robust and adaptable responses.
- While new technological developments, including AI, both expand the impact of, and pose procedural challenges to combatting, TFVAWG, there are also potential opportunities for the use of AI in content moderation, and automated processes, including those related to criminal justice.

vii. Role of men and boys in policies to prevent and combat TFVAWG

- When men and boys perpetrate TFVAWG they should be held accountable in such a way as to prevent their own reoffending and, where possible, to prevent similar offending behaviour by others.
- There is a presumption that only boys and men perpetrate TFVAWG. This is inaccurate – in addition to being victims of TFVAWG, women and girls can also perpetrate these forms of violence.
- Men and boys are key allies in combatting TFVAWG – they are essential to challenging gender stereotypes and norms that underpin the behaviours amounting to TFVAWG.
- It is usually men who hold the higher ranking positions in tech companies, online platforms and media organisations that design and manage these technologies or platforms.
- This male preponderance is also found within some criminal justice systems, where men hold the senior investigative roles / judicial positions. Combatting TFVAWG, especially in investigating and prosecuting, will require men to become strategic partners in effecting change.
- Men and boys can also be victims of technology-facilitated gender-based violence, including its intersectional forms. Although this category of victims is not the focus of this recommendation, it is important for comprehensive policies also to acknowledge men and boys as potential victims.

2.1. Legal and Regulatory Challenges

- Legal frameworks and policies are often deliberately responsive and lag behind technological advancements e.g., impacts of AI; Smart Home technologies; internet of things capabilities.
- Better investigation, law enforcement, and international cooperation is required to ensure an effective criminal justice response to TFVAWG but also some futureproofing within new or updated provisions.
- TFVAWG is not a challenge that can be solved by legal provisions alone.
- Criminalisation of TFVAWG is required but this will require system-wide understandings and agreement on scope, behaviours, and standards.
- Where investigations / reports of TFVAWG are made, these may require the gathering and / or securing of evidence or data from other investigative bodies in different legal jurisdictions.
- Cooperation may be required from private actors based in other jurisdictions, making mutual legal assistance (MLA) for investigating agencies essential, in line with the provisions of the relevant Council of Europe Conventions, such as the Istanbul and Budapest Conventions¹⁷ as well as the Convention on Mutual Assistance in Criminal Matters.

2.2. Policing Responses

- Appropriate and detailed protocols for investigating these crimes are required. This could include specific TFVAWG first-responders to lead on investigating such crimes, adopting a victim-centered approach, operating

¹⁷ See the comparative analysis of the Istanbul Convention and the Cybercrime Convention, which cover MLA aspects extensively, listing all of the relevant international standards <https://rm.coe.int/the-relevance-of-the-ic-and-the-budapest-convention-on-cybercrime-in-a/1680a5eba3>

in the victims' best interests at all times, and ensuring that victims are kept up-to-date with the progress in the procedure and investigation.

- Ineffective reporting and / or investigative responses to claims of TFVAWG allow TFVAWG to be treated with impunity.
- Reports of TFVAWG must be taken seriously and respectfully. Policing responses must not be dismissive of reports made by victims.
- TFVAWG reports must be recorded, actioned, and not ignored.
- MLA procedures must be used when and where required, to secure and gather evidence, or other data relevant to the investigation.
- Victims must be protected from reprisals, further traumatising, and additional harms connected to TFVAWG, such as invasions of privacy.
- Ex officio prosecution must be ensured in line with the requirements of the Istanbul Convention.

2.3. Root causes and link with structural inequalities

- Just like violence taking place in the offline world, at the core of TFVAWG is the desire to exert power and control over women.
- This manifests in numerous forms, including surveillance, harassment, voyeurism, abuse, restricting access to technology.
- It often mirrors the dynamics of traditional forms of domestic and intimate partner violence.
- TFVAWG is driven by misogynistic attitudes and gender-based discrimination.
- Online / technological spaces amplify such prejudices, allowing perpetrators to target women specifically because of their gender, perpetuating societal inequalities and patriarchal norms.
- Cultural and societal attitudes towards women and technology influence the prevalence and acceptance of TFVAWG.
- Efforts to change harmful norms and promote gender equality in both online and offline spaces are essential for addressing the root causes.

2.4. Anonymity and Impunity

- The perceived anonymity and impunity of online interactions can embolden perpetrators.
- The absence of a physical presence and the difficulty of tracing digital actions make it easier for individuals to engage in abusive behaviours without fear of repercussions, especially criminal sanctions.
- Not all instances of TFVAWG are anonymous, however. There is a correlation between forms of VAW taking place in the real world and TFVAWG too.
- There is a distinction between violence perpetrated by those known to the victim, and the enhanced harms caused by anonymous attacks and violence.

2.5. Intersectionality

- Women who belong to certain groups exposed to intersectional discrimination (cf. box "A gender-equal Europe for everyone" above) often experience compounded forms of TFVAWG.

- Intersectional characteristics and discrimination lead to more severe and complex experiences of violence, and trauma, and may be more difficult to identify and to address.

2.6. Impact on Victims and on broader society

- Victims and bystanders of TFVAWG frequently seek to self-censor and silence themselves as part of their responses to the violence they have experienced or witnessed. This leads to women removing themselves from digital and public life, and reducing their ability to exercise their human and participatory rights. This deters women from participating online, in digital society and in politics.
- The psychological impact of TFVAWG leads to anxiety, depression, fear, and a sense of helplessness. The pervasive and public nature of TFVAWG exacerbates these effects, making it difficult for victims to escape or find relief.
- Where victims suffer intersectional discrimination, the impacts are heightened, leading to additional traumatisation.
- Effective responses for victims are a core part of responding to TFVAWG and can help to mitigate the harm and accelerate recovery.
- Remedies for victims should include a range of options, under both criminal and civil or administrative law.

Remedies for TFVAWG in Practice

- Criminal law provisions that are effective in prosecuting TFVAWG
- Making use of these provisions by ensuring the criminal prosecution of perpetrators
- Requests for protection orders to be issued to prevent further victimisation / sharing of intimate imagery.
- Issuing of orders to platforms to rapidly take down and remove content which meets local criminal thresholds.
- Civil action against perpetrators for compensation for damage to personality / integrity / reputation / privacy of victims.
- Civil actions against the state for failing to comply with their due diligence obligations to protect human rights.
- Perpetrator programmes to be available also for cases of TFVAWG
- Availability of effective platform-specific content reporting mechanisms for a timely removal, takedown, flagging of harmful and / or illegal content.

- Some instances of TFVAW cross the online-offline divide, meaning that TFVAW can lead to offline violence such as physical attacks, stalking, and doxing. Some studies have shown that certain groups of women – such as those in public life e.g., women in politics, journalists, and human rights defenders – often suffer offline violence that follows TFVAW.¹⁸

¹⁸ See e.g., Amnesty International, '[Toxic Twitter](#)' (2018).

2.7. Specialist support services for victims of TFVAWG

- The importance of specialist support services for victims of TFVAWG cannot be overstated. In line with Article 9 of the Istanbul Convention, the relevant specialised expertise gathered by women's rights NGOs and other service providers must be acknowledged, through essential recognition of their counselling and other support.
- In the interest of ensuring that the specialist services and counselling for victims of digital manifestations of violence against women are effective, those women's rights NGOs and other organisations providing such specialist support services must be equipped with the necessary financial, human and technical resources and skills.

2.8. Digital Literacy

- Increasing digital literacy is essential to empower internet users, women and girls, investigating officers, and support groups with knowledge and tools to help women and girls protect themselves online.
- Understanding how to use privacy settings, recognise potential threats, and seek help can reduce vulnerability to TFVAWG.
- There must be a broad understanding of uses and abuses of AI tools, especially image-generators.

2.9. Platform Responsibility and Accountability / Role of Intermediaries

- Online platforms and technology companies have a significant role in addressing technology-facilitated violence.
- Inadequate content moderation, insufficient or inaccessible reporting mechanisms, and lack of accountability all leave TFVAWG undetected and/or under-addressed.
- Intermediaries, especially VLOPs, should implement robust and detailed policies and practices to protect users and respond effectively to incidents of violence.