

GENDER EQUALITY AND CYBERCRIME/CYBER VIOLENCE¹

GOOD TO KNOW

- Taking account of gender equality in the prevention and control of cybercrime is important, because it helps shape effective responses, interventions and services to cybercrime. Cyber violence and online abuse often targets women and girls.
- It is vital to remember that what is illegal offline - is illegal online.
- The prevention and control of cybercrime and online abuse appears to be predominantly a male domain (as evidenced in meetings and capacity building activities on cybercrime and electronic evidence).
- A considerable number of women and girls are victims of cyber violence; in particular of online sexual violence, revenge pornography and sexist hate speech.
- The following often hinders or stops the investigation and prosecution of cyber violence:
 - Victims of cyber violence are often not aware of their rights and do not know how to get help.
 - Law enforcement authorities are often not able to assist victims of cyber violence, which may not be considered as a law enforcement priority.
- While solutions to online violence, in particular sexual abuse against children are available, there are gaps when it comes to responses to online violence against adults.
- The [Budapest, Istanbul and Lanzarote Conventions](#) of the Council of Europe help to address cybercrime and prevent and combat violence against women and children, including cyber violence.
- A more integrated, gender-based approach to cybercrime should help design more effective solutions to these challenges and make better use of Council of Europe instruments.

¹ Please note that there is a separate factsheet on “Violence against women” relevant for co-operation activities addressing violence against women and girls as covered by the Istanbul Convention, which sets out legally binding standards to prevent violence against women and domestic violence, protect and support its victims, and prosecute all perpetrators by way of comprehensive and co-ordinated policies.

WHAT DOES THE COUNCIL OF EUROPE DO ABOUT IT?

- The Committee of Ministers Recommendation CM/Rec (2007)17 on gender equality standards and mechanisms gives more detailed guidance to member States to “give priority to the development, adoption and enforcement of effective national gender equality legislation, and to the integration of a gender perspective into all areas of governance, both in laws and policies.”
- Actions of the Council of Europe to implement its Gender Equality Strategy 2018-2023, include combating sexist hate speech, ensuring equal access to justice, preventing and combating violence against women, and integrating a gender equality perspective in all Council of Europe policies.
- Relevant Council of Europe conventions:
 - The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, 2011) specifically requires parties “to include a gender perspective in the implementation and evaluation of the impact of the provisions of this convention and to promote and effectively implement policies of equality between women and men and the empowerment of women.” The Convention addresses nine forms of violence against women, including online stalking and sexual harassment.
 - The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, 2007).
 - The Council of Europe Convention on Cybercrime (Budapest Convention, 2001) facilitates investigation and prosecution of many forms of cybercrime and cyber violence, including those targeted at women and girls.
- The Budapest, Lanzarote and Istanbul Conventions complement each other, but practical and tangible actions and synergies remain to be developed to allow for more effective criminal justice action.
- In 2017, the Cybercrime Convention Committee (T-CY) established a working group on cyber violence, especially against women and children, which prepared a mapping study to strengthen action against cyber violence and reinforce synergies between relevant Council of Europe standards (Budapest, Istanbul and Lanzarote Conventions).

GENDER EQUALITY ASPECTS

- A stronger gender equality perspective in the criminal justice system would produce different outcomes:
 - in some countries, the criminal justice sector remains primarily a male dominated domain, in particular with regard to high-level positions,²and female criminal justice professionals in most countries appear to be underrepresented in institutions dealing with cybercrime.
 - women and men often highlight different concerns and bring different perspectives and solutions to policy-making.
- Certain types of cybercrime are not gender neutral.

² CEPEJ-STAT: Specific dashboard on gender equality in courts and prosecution services: https://public.tableau.com/shared/MQWT8X886?:display_count=yes&showVizHome=no
https://www.coe.int/t/dghl/cooperation/cepej/default_en.asp

- For example:
 - Cyber violence, in particular online sexual violence, is targeted primarily at women and girls.

DO NOT FORGET

- Considering cybercrime from a gender-based perspective is important in order to develop gender-sensitive crime prevention strategies and to ensure a more comprehensive approach to countering cybercrime and cyber violence.
- Therefore, the Council of Europe should encourage governments to have a greater gender balance in institutions dealing with cybercrime and consider developing gender-sensitive victim oriented approaches and programmes with survivor centered outcomes.

Gender equality considerations need to be tailored to the different types of interventions carried out through co-operation projects:

- Awareness-raising
- Legal analysis and support to the reform
- Capacity-building

EXAMPLES

AWARENESS RAISING

► Octopus conference 2015

Octopus conference 2015 Workshop on “Victims of cybercrime: who cares?”, raising awareness regarding gender-specific component of cybercrime victimization. Legal analysis and support to the reform:

- For analyses of draft legislation/strategies/policies, experts’ Terms of Reference should include a specific action to perform analyses from a gender equality perspective, including a focus on the integration of victim-oriented approaches and programmes with survivor-centered outcomes.

CAPACITY BUILDING

- When developing and implementing capacity building activities, the project could ensure that the programme of the event addresses gender-specific issues related to cybercrime or cyber violence, whilst invitations/convocations to activities could state that a balanced participation of women and men is encouraged.
- Increased capacity to ensure gender balanced approaches in dealing with prevention and handling of cybercrime and cyber violence cases.
 - Number and percentage of female and male staff participating in project activities.
 - Number of activities with components covering gender issues in cybercrime/ cyber violence.
 - Number of activities supporting development of victim-oriented approaches and programmes with survivor-centered outcomes.

GOT INTERESTED?



[Council of Europe Human Rights Channel – La chaîne des droits humains website](#)

The [Analytical report](#) on the third round of monitoring on the implementation of CM Recommendation Rec(2003)3 provides 2016 data on the participation of women and men in legislative, executive, judicial and diplomatic areas as well as regarding Council of Europe institutions

[Gender Mainstreaming: Policy briefs and Council of Europe Activities, 3rd Update \(June 2016\)](#)

The [Association for progressive communications \(APC\) countries report](#) for the project “From impunity to justice” as a part of the project “End violence: Women’s right and safety online”

“From 2009 to 2011, APC worked with the local organisations in 12 countries in Africa, Asia and Latin America to explore how technology is being used to perpetuate violence against women and create a global community of women and girls who are critically taking up ICT tools to end it. We found that in all 12 countries- policies, regulations or services to prevent or respond to these new forms of violence do not exist or are inadequate. Women and girls who fall victim do not know what to do to stop the abuse, what charges they can report, who they should report to and what help they can get.”

[European Institute for Gender Equality \(EIGE\) - Cyber violence against women and girls](#)

“One in three women has experienced a form of violence in her lifetime, and it is estimated that one in ten women have already experienced a form of cyber violence since the age of 15.”

[The Internet Governance Forum \(IGF\) 2015: Best Practice Forum \(BPF\) on Online Abuse and Gender-Based Violence Against Women Online](#)

“As such, online abuse and gender-based violence disproportionately affect women in their online interactions; encompassing acts of gender-based violence such as domestic violence, sexual harassment, sexual violence, and violence against women in times of conflict, that are committed, abetted or aggravated, in part or fully, by the use of ICTs.

[Mapping Technology-based violence against women. Take back the tech! Top 8 findings \(2012-2014\)](#)

“The findings are from 1126 cases reported on the [Take Back the Tech! Online map](#) from 2012 to 2014: Less than ½ of the cases (41%) reported to the authorities have been investigated. 49% of cases were reported to authorities”