



The digital dimension of violence against women as addressed by the seven mechanisms of the EDVAW Platform

” Thematic paper of
the Platform of Independent
Expert Mechanisms on
Discrimination and Violence
against Women (EDVAW)



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Thematic paper adopted by the Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform) at its 14th meeting on 17 November 2022

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Acronyms

AI : Artificial Intelligence

CEDAW: Committee on the Elimination of Discrimination against Women

EDVAW: Independent Expert Mechanisms on Discrimination and Violence against Women

GREVIO: Group of Experts on Action against Violence against Women and Domestic Violence

IACHR: Inter-American Commission on Human Rights

ICT: information and communication technologies

MESECVI: Follow-Up Mechanism to the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women

NGO: Non-Governmental Organisation

OAS: Organization of American States

UN: United Nations

UNESCO: United Nations Educational, Scientific and Cultural Organization

Acknowledgement

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Introduction

The Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform) was launched at the initiative of the United Nations (UN) Special Rapporteur on violence against women, its causes and consequences in March 2018. It gathers seven United Nations and regional independent expert mechanisms on violence against women and women's rights operating at the international and regional levels.¹ The EDVAW Platform aims to strengthen institutional co-operation between the mechanisms with a view to undertaking joint action to harmonise and improve the implementation of the existing international legal and policy frameworks on violence against women.

Although the nature, scale and impact of violence against women was already considerable, the Covid-19 pandemic resulted in an alarming increase, especially of online and technology-facilitated violence (UN Women, 2021a) which transgresses national borders and requires a global response. At its 13th meeting held on the margins of the fiftieth session of the UN Human Rights Council in June 2022 in Geneva, presided over by the president of GREVIO, the EDVAW Platform held a thematic discussion regarding online and technology-facilitated violence against women. Following it, the EDVAW Platform issued a statement proposing further joint action in this regard, including its commitment to prepare its first-ever thematic paper outlining the ways in which international and regional women's rights mechanisms have addressed the digital dimension of violence against women (EDVAW Platform, 2022). This initiative is expected to increase the potential for synergies by offering insight into commonalities in their respective approaches towards the digital dimension of violence against women and fostering further dialogue and co-operation among the members of the EDVAW Platform.

Therefore, this first thematic report aims to address the digital dimension of violence against women within the scope of the mandates of its members. It is composed of six sections. First, it provides an overview of the nature, scale and impacts of online and technology-facilitated violence against women, as well as the terminology used in this field. Secondly, it contains an outline of approaches taken by the mechanisms of the EDVAW platform regarding the digital dimension of violence against women. Thirdly, it discusses key themes identified throughout the work of the EDVAW members concerning the digital dimension of violence against women. Fourthly and fifthly, it identifies some promising practices and challenges reported by the EDVAW mechanisms in combating the digital dimension of violence against women. Sixthly, it proposes common action to be taken by the EDVAW Platform in response to the growing worldwide problem of online and technology-facilitated violence against women.

¹ The EDVAW Platform is composed of the UN Special Rapporteur on violence against women, its causes and consequences, as well as representatives from the UN Committee on the Elimination of Discrimination against Women (CEDAW), the UN Working Group on discrimination against women and girls, Council of Europe Expert Group on Action against Violence against Women and Domestic Violence (GREVIO), the Inter-American Commission on Human Rights' Rapporteur on the Rights of Women, the Special Rapporteur on the Rights of Women in Africa and the Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI).

I. The nature, scale and consequences of the digital dimension of violence against women

This section provides a brief overview of the problem of violence against women in digital spaces, including its forms, scale and its harmful consequences on women's lives and society as a whole. Its aim is to provide a better understanding of the context surrounding such violence, in order to emphasise the relevance of addressing it at regional and global levels.

A. What is the digital dimension of violence against women?

All forms of violence against women, including its digital dimension must be understood within the framework of gender-based discrimination. Indeed, such violence against women is not an isolated issue, but the most brutal manifestation of discrimination against women and girls, and it cannot be solved without first addressing the root causes of violence, namely, gender-based discrimination founded on stereotyped notions of women and girls and on ideas of women's and girl's inferiority with respect to men and boys. Thus, states parties are obliged, based on art. 5 of CEDAW and applicable regional instruments, to combat such forms of discrimination in order to eliminate the causes that facilitate and endorse the digital dimension of violence against women.

The digital dimension of violence against women can include any act of gender-based violence against women that is committed, assisted or aggravated in part or fully by the use of information and communication technologies (ICTs), such as mobile phones and smartphones, the internet, social media platforms or email, geolocation tracking devices, drones and non-internet connected recording devices, and artificial intelligence (AI), against a woman because she is a woman, or affects women disproportionately.

From the above, four main types or categories of online and technology-facilitated violence arise: first, forms of harassment, violence or abuse that are *facilitated* by specific technologies and technology-enabled devices, such as intimate partner violence carried out via the use of technologies including spyware and other tracking devices; secondly, abuse that *takes place* and is *amplified* online, such as forms of image-based sexual abuse such as the non-consensual sharing of intimate images; thirdly, where technology has *generated* a new form of abuse, such as deepfake pornography and abuse of our digital selves in the metaverse; and, fourthly, where the online environment is used to *enable* violence and abuse to take place, such as the use of social media being central to various forms of sexual violence against women and girls.

Online and technology-facilitated violence against women therefore includes an extensive range of behaviours, such as all forms of image-based sexual abuse (e.g. the online creation, dissemination, distribution, or sharing of photographs, videos or audio clips of a sexual or intimate nature without the victim's consent), as well as AI generated "deepfake pornography"; unauthorised access, manipulation, or distribution of personal data (e.g. doxing); identity theft or impersonation (e.g. the creation of fake profiles); acts that damage a person's reputation or credibility; acts involving surveillance and monitoring of a person (e.g. online stalking); online (sexual) harassment; cyber-bullying; online sexual and physical threats and abuse; and harassment and abuse of digital selves such as avatars.

As will be further discussed in this thematic paper, the members of the EDVAW Platform use a wide range of terms to describe online and technology-facilitated violence against women. However, it is to be noted that while the EDVAW mechanisms vary in their terminology, their underlying approach is largely the same. That is, different terminology is not being used to exclude certain forms of violence. Indeed, terminology varies in part because of the ongoing development

of ICTs and AI-based technologies, leading to an ever-growing range of ways in which such violence is perpetrated. Careful consideration should be given to the choice of terminology in order to avoid terms that sensationalise such violence or engage in victim-blaming. This approach can also help women and girls to better name their experiences.

This report refers to the ‘digital dimension of violence against women’ as a comprehensive term to cover the wide range of online and technology-facilitated acts that are part of the continuum of gender-based violence against women (GREVIO, 2021). It focuses on laws, policies and practices regarding women and girls’ shared experiences of online and technology-facilitated gender-based violence. While bearing in mind their connections to the continuum of gender-based violence against women, specific examinations of sexual online and technology-facilitated violence against children, and human trafficking for the purpose of sexual exploitation facilitated by technology, will not be covered, as those human rights violations require a specific focus and are more comprehensively addressed by other dedicated international and regional human rights treaties and monitoring mechanisms.²

Several key elements are to be borne in mind when examining the nature, scale and impacts of online and technology-facilitated violence against women, as a precursor to considering means of prevention, support and redress. First, it is not a new phenomenon, since it stems from a context of gender-based discrimination, deep-seated cultural norms and systemic violence against women in all areas of their lives. Secondly, online and technology-facilitated violence is a violation of the human rights of women and girls. Thirdly, it is part of the continuum of multiple, interrelated, and recurring forms of violence against women and girls that now permeate through and across online and offline worlds. Finally, it is a dynamic phenomenon that encompasses a wide range of abusive acts that are facilitated or reshaped by ICTs and AI and will continue to evolve as new ways of perpetrating abuse are developed and utilised.

B. What is the scale of the digital dimension of violence against women?

The digital dimension of violence against women is alarmingly common. According to a 2015 study by the United Nations Broadband Commission for Sustainable Development, almost three quarters of women have experienced some form of gender-based violence online, with almost two-thirds of the perpetrators being men (UN Broadband Commission for Sustainable Development, 2015). In 2020, a study by the Economist Intelligence Unit covering 45 countries reported that 85% women have experienced or witnessed online and technology-facilitated violence, ranging from 74% in Europe, 91% in Latin America and the Caribbean and 90% in Africa (Economist Intelligence Unit, 2021). Amnesty International released a comparative study conducted across Europe, the United States and New Zealand which revealed that nearly a quarter of interviewed women had experienced online and technology-facilitated gender-based violence at least once in their life (Amnesty International, 2017).

In 2021, UN Women published a report on the Middle East where it emerged that 60% of women had experienced online and technology-facilitated violence and had reported it in the past year (UN Women, 2021b). In 2020, Pollicy, a Uganda-based feminist collective, conducted a survey of online violence against women in Ethiopia, Kenya, South Africa, Senegal, and Uganda which found that 28% women had suffered various forms of online and technology-facilitated violence (Pollicy, 2021). A national study commissioned by the Brazilian Parliament in 2018 found that 2.788 out of

² This is the case, for instance, of the UN Special Rapporteur on the Sale and Sexual Exploitation of Children, the UN Special Rapporteur on Trafficking in persons, the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (also known as the Lanzarote Committee), and the Group of Experts on Action against Trafficking in Human Beings (GRETA).

68.000 criminal cases of violence against women had a digital dimension, with the majority of the offenders being current or former partners (ONU Mujeres and OEA/CIM/MESECVI, 2022).

Women's exposure to multiple and intersecting forms of discrimination also makes online and technology-facilitated violence more likely, or the consequences more severe. Intersectional discrimination on the basis of gender identity, gender expression, sexual orientation, disability, race, ethnicity, indigenous status, age, religion, participation in public life and other factors compound, exacerbate and complicate experiences of gender-based violence. Studies have found that black women are 84% more likely than white women to be mentioned in abusive tweets (Amnesty International, 2018). Another study found that 42% girls and young women who self-identify as Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ*), 14% of those who self-identify as having a disability, and 37% of those who self-identify as belonging to an ethnic minority, reported experiencing online harassment relating to these characteristics (Plan International, 2020).

Finally, it is to be noted that the studies discussed involve self-reporting of experiences which are likely to be a considerable under-estimate of the extent of online and technology-facilitated abuse. This is because many women are unaware that they have been victimised, such as where intimate images of them are taken or shared online without their knowledge or consent. Generally, the widespread underreporting of the digital dimension of violence against women and girls represents a challenge for understanding its true prevalence (United Nations General Assembly, 2022).

C. What are the consequences of the digital dimension of violence against women?

Online and technology-facilitated violence has a devastating impact on women and girls, and society generally. It is often experienced as relentless and enduring, with the constancy of abuse being particularly damaging. The harms experienced include:

- *All-encompassing harms* impacting on every aspect of their lives, leading to a form of 'social rupture' where women's lives are divided into 'before' and 'after' the violence.
- *Physical harms* which include threats of physical harm, and can result in offline violence, or lead to feeling unsafe offline due to online experiences, sometimes described as an 'existential threat' or shadow overhanging their lives (UNESCO, 2020).
- *Psychological harms* with potentially life-shattering and life-ending impacts including depression, anxiety, stress, suicide ideation, fear and panic attacks.
- *Economic and professional harms* that encompass major professional and financial negative impacts linked to school absences, lack of training or employment, the burden of the costs of counselling, legal action and other forms of support and redress; as well as the potential loss of professional advancement due to self-censoring online as a result of abuse or removing oneself from social media as a protective response.
- *Relational harms and secondary victimisation* such as when victims experience a profound sense of 'isolation' following online and technology-facilitated violence, often due to victim-blaming responses, as well as abuse shattering their trust and connections with family and friends, the online world and social media.

Society as a whole is also adversely impacted by the prevalence of online and technology-facilitated violence against women and girls. Such harmful consequences include:

- *Restrictions on women's freedom of speech online*: online and technology-facilitated violence often leads to women self-censoring or withdrawing from online engagement, thereby restricting their freedom of expression, as well as having a negative impact across all of society being denied women's voices (UN Women, 2021b).
- *A continuation of the gender digital divide*: the digital dimension of violence against women tends to perpetuate and exacerbate the existing gap between women and

men's access to and use of ICTs and AI-based technologies, as women feel compelled to leave the digital world (UNICEF, 2021).

- *Reducing the diversity of digital spaces:* women facing intersectional discrimination are more likely to be targeted online and, as a result, to self-censor and reduce their online participation, which reduces the diversity and inclusive nature of social, political and public debates, and of all online worlds. (UN Women, 2020).
- *Adverse socio-economic consequences across societies:* Violence against women including its digital dimension has significant financial consequences for all of society due to the loss of economic activity and health-related costs (EIGE, 2021).

II. The EDVAW Platform mechanisms and the digital dimension of violence against women

This section provides a short description of the respective mandates that make up the EDVAW Platform and the relevant set of legal standards which they monitor, focusing on their relevance to online and technology-facilitated violence against women. It also offers an overview of terminology and initiatives taken by these international and regional women's rights mechanisms to research, raise awareness or promote improved responses to digital violence against women through their country-specific or thematic monitoring work.

A. The United Nations Committee on the Elimination of Discrimination Against Women (CEDAW)

The UN Committee on the Elimination of Discrimination against Women (CEDAW) was established in 1982 to monitor the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women. It is composed of twenty-three independent experts who review the national implementation of the Convention and issue 'concluding observations' measuring national progress. CEDAW may also receive individual communications about claims of violations of women's rights and initiate inquiries into situations of grave or systematic violations. CEDAW also adopts General Recommendations which, although not formally legally binding, are authoritative statements on the content of legal duties assumed by states parties that clarify approaches to interpreting treaty provisions. In 1992, CEDAW adopted its General Recommendation no. 19 on violence against women, which was updated in 2017 with the adoption of General Recommendation no. 35 on gender-based violence against women.

CEDAW prohibits discrimination against women, understood as "any distinction, exclusion or restriction made on the basis of sex". The General Recommendation no. 35 clarifies that 'gender-based violence against women' is a form of discrimination within the scope of the Convention. Gender-based violence is defined as 'violence which is directed against a woman because she is a woman or that affects women disproportionately' and, as such, is a violation of their human rights. CEDAW emphasises the importance of an intersectional understanding of gender-based violence, providing in General Recommendation no. 35 an extensive list of differing characteristics and identities that affect experiences of violence and discrimination.

CEDAW uses a range of terms when examining the digital dimension of violence against women. While the Committee had referred to the digital dimension of violence against women in state reports in 2016, it was the General Recommendation no. 35 that clearly established online and technology-facilitated violence as a new form of gender-based violence against women that is within the scope of the CEDAW. General Recommendation no. 35 refers to violence against women as taking a 'continuum of multiple, interrelated and recurring forms, in a range of settings, from private to public, including technology-mediated settings'. The text also refers to "forms of violence occurring online and in other digital environments.

CEDAW has also integrated the digital dimension into its other General Recommendations including No. 33 (2015) on women's access to justice where it recognized the important role of digital spaces and ICT for women's empowerment and No. 36 (2017) which focused on how girls are affected by cyberbullying. In its most recent country reports, including Morocco, Ecuador, Sweden and Denmark, CEDAW has welcomed the introduction of legal reforms targeting online and technology-facilitated violence.³

³ All CEDAW Concluding Observations are available at: www.ohchr.org/en/treaty-bodies/cedaw

B. The United Nations Special Rapporteur on Violence Against Women, its causes and consequences (the UN Special Rapporteur)

In 1994, the UN created the role of Special Rapporteur on violence against women and girls, its causes and consequences (Human Rights Council, 1994), who is mandated to seek and receive information on violence against women from governments, treaty bodies, specialised agencies, other human rights bodies, intergovernmental and non-governmental organisations, including women’s organisations, and to respond effectively to such information. The UN Special Rapporteur also recommends measures at the local, national, regional and international levels to eliminate all forms of violence against women and its causes, and to remedy its consequences (Human Rights Council, 2019b). This work is carried out through country visits, annual reports including thematic reports, consultations with civil society and other national, regional and international bodies.

The digital dimension of gender-based violence was first addressed in 2006 by the Secretary-General in his in-depth study on all forms of violence against women (UN General Assembly, 2006), in which he noted that more inquiry about the use of ICTs was needed so that emerging forms of violence could be recognised and better addressed. In its resolution 20/8, the Human Rights Council clearly stated that the same rights that people have offline must also be protected online. Overall, the UN human rights regime notes that at the normative level the “interaction between technology and women’s human rights standards is marked by the recognition of the principle that human rights protected offline should also be protected online” (Human Rights Council, 2016).

In 2018, the UN Special Rapporteur produced a landmark report analysing online violence and violence facilitated by ICTs against women and girls from a human rights perspective. It sets a framework for examining the impact of emerging technologies on violence against women, including prevention, protection, prosecution and redress for such violence, and sets out recommendations for action from the UN, states and internet intermediaries. This report has been drawn on in the UN Special Rapporteur’s evaluation and monitoring role, including in country and thematic reports, providing the foundation for subsequent UN activities and other national and regional work in this field.

Noting the variety of terminology, the UN Special Rapporteur refers to “ICT-facilitated violence against women” as the most inclusive term, but mainly uses “online violence against women” as a more user-friendly expression, while still referring to “cyberviolence” and “technology-facilitated violence” as alternatives (Human Rights Council, 2018). The UN Special Rapporteur adopts a definition of online and technology-facilitated violence against women that extends to “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” (Human Rights Council, 2018). The UN Special Rapporteur has also noted the importance of not seeking to define and catalogue all forms of online and technology-facilitated violence against women and girls due to the rapid development of digital technology and spaces, including through AI, which will inevitably give rise to new manifestations of such violence.

The digital dimension of violence against women is included in the UN Special Rapporteur reports of country visits.⁴ For instance, in 2018, the UN Special Rapporteur’s report on Australia welcomed the work undertaken to address online violence against women and children, by undertaking legal reform and expanding the role of a public agency, the eSafety Commission, to tackle it. In 2019, the UN Special Rapporteur’s report on Canada welcomed the introduction of new criminal laws on

⁴ All reports on the country visits of the UN Special Rapporteur on violence against women and girls, its causes and consequences are available at: www.ohchr.org/en/special-procedures/sr-violence-against-women/country-visits

image-based sexual abuse. In 2020, the UN Special Rapporteur's report on Ecuador noted that online violence against women was an emerging issue.

In its thematic reports, the UN Special Rapporteur has also emphasised the significance of online and technology-facilitated violence against women. For example, when reporting on women journalists, the UN Special Rapporteur noted that online harassment can have significant consequences, leading to self-censorship and that ultimately such digital violence “against women journalists and women in the media is a direct attack on women’s visibility and their full participation in public life” (Human Rights Council, 2020).

C. The United Nations Working Group on Discrimination Against Women and Girls (the UN Working Group)

The UN Working Group on Discrimination Against Women and Girls, established in 2010, is composed of five independent experts, who are mandated by the UN Human Rights Council to develop a dialogue with states and human rights actors to identify, promote and exchange views on best practices related to the elimination of laws that discriminate against women. It also offers support to states in the implementation of their obligations to address multiple forms of discrimination. The UN Working Group issues thematic reports, undertakes country visits and engages in communications with states and relevant stakeholders. It also participates in other initiatives, such as public statements, amicus briefs, position papers, participation in events, and contributions to the work of other UN human rights bodies and agencies.

The UN Working Group relies on the definitions of discrimination against women, violence against women and intersectionality as established by CEDAW and the reports of the UN Special Rapporteur on violence against women and girls, its causes and consequences (Human Rights Council, 2020b). In 2018, it first referred to the digital dimension in its country report on Samoa when citing CEDAW’s General recommendation no. 35.⁵ More recently, in examining women’s rights in the changing world of work, and the activism of girls and young women, the UN Working Group explicitly focuses on the new risks and challenges generated by technological developments, such as the monitoring and tracking of women through their devices at work and at home (Human Rights Council, 2022.). For example, it has referred to digital technologies being used to “blackmail, control, surveil, coerce, harass, humiliate or objectify girl and young women activists, including by resorting to “deep-fake” pornographic content and death threats” (Human Rights Council, 2022).

In its communications procedures, the UN Working Group has stressed the digital dimension of gender-based violence, such as highlighting online violence against a woman journalist in India (UN Working Group, 2022) and the non-consensual filming and posting of a video of a lesbian couple kissing in Kazakhstan (UN Working Group, 2019). The digital dimension of violence against women is also considered in its recent reports of country visits including the one on Honduras, where in 2019, it raised concerns regarding “legally unregulated cyberviolence (e.g., cyber-harassment and publication of intimate images without consent, including of public and political personalities)”. In its 2021 report on Romania, the UN Working Group noted that “new forms of gender-based violence, such as revenge pornography and cyberviolence, are becoming a growing concern, particularly for girls and young women”.

⁵ All reports on the country visits of the UN Working Group on Discrimination Against Women and Girls are available at: www.ohchr.org/en/special-procedures/wg-women-and-girls/country-visits

D. The Special Rapporteur on the Rights of Women in Africa

The Special Rapporteur on the Rights of Women in Africa was established by the African Commission on Human and Peoples' Rights in 1998. The Special Rapporteur is mandated to assist African governments in the development and implementation of policies for the promotion and protection of women's rights, particularly in line with the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), to undertake promotional and fact finding missions in African countries, to follow up on the implementation of the Maputo Protocol, to prepare reports on the situation of women's rights in African and to propose resolutions and recommendations to be adopted by the Commission.

Article 1(j) of the Maputo Protocol defines violence against women as "all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war." Although the Maputo Protocol does not explicitly refer to intersectionality, it does reference different characteristics of women such as 'refugee women' (Article 4) 'elderly women' (Article 22), 'women with disabilities (Article 23), and 'women in distress' (Article 24).

In 2022, the African Commission (including the Special Rapporteur of the Rights of Women in Africa) adopted a specific Resolution on the Protection of Women Against Digital Violence in Africa stressing the significance, scale, nature, and impact of the digital dimension of violence against women, as well as undertaking various awareness-raising activities. The Resolution recognised the obligation of State Parties to develop the necessary measures aimed at the protection of women in the digital environment, including the adoption of legislative, policy, and other measures, awareness-raising programmes, and training for people working with victims.

E. The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

Following the entry into force of the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) was set up in 2015 as a specialist independent body responsible for monitoring implementation by the State Parties. GREVIO is composed of fifteen elected members with multidisciplinary expertise in human rights, gender equality, violence against women and domestic violence or in the assistance to and protection of victims. Since 2017, GREVIO has carried out country visits and launched country reports evaluating legislative and other measures taken by the Parties to give effect to the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. It may also adopt general recommendations which, though not legally binding, serve as an important reference for parties, offering clear guidance on implementation of the Istanbul Convention and a basis for countrywide monitoring.

Under Article 3 of the Istanbul Convention, violence against women is defined as a violation of human rights and a form of discrimination against women, covering "all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". Under the Convention, gender-based violence against women 'shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately'. These holistic definitions cover psychological and economic harms which are particularly relevant to the digital dimension of such violence. Article 4, paragraph 3 of the Convention confirms that its implementation must be secured 'without discrimination on

any ground'. GREVIO has adopted the term 'intersectional discrimination' to systematically assess whether states parties pay attention to the impact of multiple and intersecting discrimination on women's differing experiences of gender-based violence when implementing the Convention.

The digital dimension of violence against women has been recognised from the beginning, in the Explanatory Report to the Istanbul Convention that refers, for example, to stalking in the digital sphere. In 2021, GREVIO expanded this approach by adopting its first General Recommendation on the Digital Dimension of Violence Against Women which outlines the specific application of the Convention to online and technology-facilitated violence against women and girls. Specifically, it sets out the breadth and nature of digital violence and abuse, how the Istanbul Convention applies in these contexts, emphasising the overlapping nature of online and offline abuse, and makes recommendations for state parties. In this General Recommendation, GREVIO uses the term "the digital dimension of violence against women' as encompassing both online aspects (activities performed and data available on the internet, including internet intermediaries on the surface web as well as the dark web) and technology-facilitated (activities carried out with the use of technology and communication equipment, including hardware and software) harmful behaviour perpetrated against women and girls" (GREVIO, 2021). The term aims to emphasise that this harmful behaviour disproportionately targets women and girls and is a central element of their experiences of gender-based violence. At the national level, GREVIO has examined action taken by States Parties to address the digital dimension of violence against women, including in its baseline evaluation reports on Belgium, Germany, Malta, Poland, Romania, San Marino, Slovenia and Spain.⁶

The Istanbul Convention is complemented by other Council of Europe standards such as the Convention on Cybercrime (Budapest Convention) which offers a comprehensive set of legally binding standards to develop comprehensive national legislation against cybercrime and any crime involving electronic evidence. In this context, it is to be noted that, following the launch of GREVIO's General Recommendation No. 1 on the digital dimension of violence against women, a study was published in 2021 exploring the extent to which the Istanbul Convention and the Budapest Convention can complement each other in dynamic ways to address the digital dimension of violence against women (Council of Europe, 2021).

F. The Mechanism to Follow Up on the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (MESECVI)

Following the adoption in 1994 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (better known as the Belém do Pará Convention), a monitoring mechanism to follow up on its implementation, MESECVI, was established in 2004. MESECVI follows up on the commitments undertaken by the States Parties to the Convention and reviews how they are being implemented. It also promotes the implementation of the Convention and establishes a system of technical cooperation amongst State Parties for the exchange of information, experiences and best practices.

In line with Article 1 of the Belém do Pará Convention, MESECVI addresses violence against women as a form of gender-based violence defined as "any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere". MESECVI recognises the intersectional dimension of violence against women, as Article 9 of the Convention requires States Parties to "take special account of the vulnerability of women to violence by reason of among others, their race or ethnic background or their status as migrants, refugees or displaced persons [as well as] women subjected to violence

⁶ All GREVIO baseline evaluation reports are available at www.coe.int/en/web/istanbul-convention/country-monitoring-work

while pregnant or who are disabled, of minor age, elderly, socio- economically disadvantaged, affected by armed conflict or deprived of their freedom”.

As part of its monitoring role,⁷ MESECVI has emphasised the digital dimension in a number of its country reports, including on Ecuador, El Salvador and Honduras (MESECVI, 2020a, 2020b, 2017). In its country reports, MESECVI relies on the terms used by the State Parties. Moreover, MESECVI has paid specific attention to the vulnerability of women public figures to online threats, harassment and violence in Latin America. Indeed, in several statements, MESECVI has raised concerns about cases of severe online violence against women journalists and politicians (MESECVI, 2021, 2020c, 2018).

In the area of knowledge-sharing, MESECVI has contributed to the Organization of American States (OAS) reports entitled *Women's cybersecurity during the COVID-19 pandemic: Experiences, risks, and self-care strategies in the new digital normality* and the *Online Gender-Based Violence against Women and Girls: basic concepts, digital security tools and response strategies* launched in 2022 which provides information on the nature of online violence, and advice on digital safety and protection against online violence. In 2022, MESECVI also launched a comprehensive thematic report called *Cyberviolence and Cyber-harassment against women and girls within the framework of the Belém Do Pará Convention* which provides a comprehensive analysis of the application of the Convention to the digital dimension of violence against women. In this thematic publication, MESECVI refers to the definition of online and technology-facilitated violence given by the UN Special Rapporteur in 2018 and provides a non-exhaustive list of conduct falling within the scope of such violence (ONU Mujeres and OEA/CIM/MESECVI, 2022).

In 2022, MESECVI has also developed a free online course Online course on digital security with a gender perspective with the Cybersecurity Program of the Inter-American Committee against Terrorism of the OAS (CICTE-OAS), the Inter-American Commission of Women. The course seeks to provide participants with information in order to gain a better understanding of the characteristics of their online environment and the risks associated with the interactions they develop there, as well as enabling them to adopt new cybersecurity habits through the development of critical and strategic thinking.

G. The Inter-American Commission on Human Rights' Rapporteur on the Rights of Women (the IACHR Rapporteur)

Established in 1994, the Inter-American Commission on Human Rights' (IACHR) Rapporteur on the Rights of Women is one of eight thematic rapporteurships of the Inter-American Commission on Human Rights monitoring regional human rights treaties, including the Inter-American Convention on Human Rights and the Belém do Pará Convention. The IACHR Rapporteur prepares specialist studies and recommendations to the member states of the OAS to address discrimination and violence against women. The IACHR Rapporteur also produces reports on the situation of women in specific countries of the Americas and provides assistance to the Inter-American Commission on Human Rights in the processing of individual petitions and cases alleging human rights violations with gender-specific causes and consequences.

In 2018, the IACHR recognised that violence against women on the internet was emerging as a new form of gender-based violence which was spreading rapidly and posed a significant danger (IACHR, 2018). The IACHR Rapporteur also refers to the digital dimension of violence against women in its reports 'Violence and Discrimination against Women and Girls: Best Practices and Challenges in Latin America and the Caribbean' issued in 2019 and "Women journalists and freedom of expression" issued in 2018. It recognised the growing threat of online and

⁷ All the monitoring report of MESECVI are available at: https://belemdopara.org/CIM_MESECVI/country-monitoring/

technology-facilitated violence, particularly against women journalists and human rights defenders, and young women and girls. This thematic report urges State Parties to recognise through their regulatory frameworks new forms of gender-based violence, as well as stressing the importance of adopting strategies, laws and policies that promote education and awareness of this issue and contribute to combating stereotypes and discriminatory attitudes in digital settings. The IACHR Rapporteur defines online violence against women and girls as “acts that partly or fully arise from the use of information and communication technologies, especially on social media” (IACHR, 2019). In its work, it also adopts a gender-based and intersectional approach to violence against women, by recognising that women experience “a position of inequality and structural subordination to men, as a result of their gender” (IACHR, 2019) which varies according to other personal characteristics.

III. Key themes and approaches to the digital dimension of violence against women in the EDVAW Platform

This section outlines key themes identified by the members of the EDVAW Platform in their general thematic monitoring activities and country-specific reports that are central to understanding and addressing the digital dimension of violence against women.

A. The digital dimension of violence against women as a continuum of offline experiences

Physical acts of violence are often considered more serious than, and separate from, online and technology-facilitated experiences of violence, with many laws, policies and practices only applying to the offline world (Council of Europe, 2020). However, such approaches fail to understand that violence against women is experienced as a continuum of online and offline experiences. Indeed, it is vital to note that integral to the design of ICTs is the blurring of distinctions between online and offline worlds (Human Rights Council, 2021).

All EDVAW Platform members acknowledge this link between women's experiences of online and offline violence. GREVIO has expressed the need to recognise "violence against women in its digital dimension as a continuum of violence against women offline" (GREVIO, 2021). MESECVI also reported that "violence against women can [...] begin as sexual harassment on the street, as 'honour'-based violence in a community, or as physical aggression perpetrated by an intimate partner, and it can be transformed and relocated through technology into the non-consensual distribution of intimate images, cyber-harassment, sexist speech on social networks, cell phone monitoring etc" (OAS/CICTE and OAS/CIM/MESECVI, 2022).

Similarly, the Special Rapporteur on the Rights of Women in Africa explains that women can become "victims of offline assault that was initiated online through dating sites" (African Commission, 2022b). The UN Special Rapporteur on Violence Against Women observed that for many women journalists, cyber-harassment online often spills over into physical threats and harms (Human Rights Council, 2020). The IACHR Rapporteur on the Rights of Women also noted that girls "often find themselves in a continuum of violence both offline and online in which they feel isolated, humiliated, and emotional distressed" (IACHR, 2019).

B. The intersectional lens of the digital dimension of violence against women

All members of the EDVAW Platform recognise the intersectional component of violence against women, namely that "gender-based violence may affect some women to different degrees or in different ways" (CEDAW, 2017). GREVIO's first General Recommendation explicitly recognises that digital forms of gender-based violence "can be particularly pronounced for women and girls at risk of or exposed to intersecting forms of discrimination, and may be exacerbated by factors such as disability, sexual orientation, political affiliation, religion, social origin, migration status or celebrity status, among others" (GREVIO, 2021).

While there is detailed engagement with intersectional experiences of violence against women by all the mechanisms of the EDVAW Platform, when considering online and technology-facilitated violence, to date the mechanisms have mostly focused on intersectional experiences related to professional status and age. For example, the UN Special Rapporteur and the IACHR Rapporteur on Women's Rights have emphasised the extent of online abuse against women journalists who are increasingly targeted as visible representatives of women's rights and have been forced to contend with cyber-harassment, cyber-stalking, doxing and other forms of online abuse (IACHR, 2019; Human Rights Council, 2018b, IACHR, 2018).

The UN Special Rapporteur has also highlighted the online abuse against women human rights defenders (Human Rights Council, 2019d), with similar concerns being echoed by MESECVI (OAS/CICTE and OAS/CIM/MESECVI, 2022). In the same vein, the UN Working Group has reported on the increasing prevalence of online violence and technology-facilitated and abuse experienced by young women activists when campaigning on critical global issues such as social injustice and climate change. Commonly, young women self-censor and leave the online world while facing social stigmatisation (Human Rights Council, 2022). GREVIO has noted that women politicians, journalists, human rights defenders and activists are particularly exposed to “individual acts of violence that are not criminalised [but] may reach the threshold of psychological violence [as defined by the Istanbul Convention], when combined with the mob mentality and repetition facilitated by the internet: a teasing comment may ascend to cyberbullying when made repetitively or by a large number of people” (GREVIO, 2021). A similar issue has been noted by the Special Rapporteur on the Rights of Women in Africa, in relation to concerns being raised around online abuse, including aggressive sexist language, gender stereotypes and sexual overtures against female candidate in election, as tactics aimed at discouraging them from participating in the public sphere

C. The need to prevent the digital dimension of violence against women

The EDVAW Platform members all recognise the need to change negative attitudes towards women and their role in society in order to prevent online and offline violence against women and girls. Accordingly, they promote awareness-raising, education and training as means to prevent such violence. For example, the Special Rapporteur on the Rights of Women in Africa participates in a range of awareness-raising events, while also calling on States to launch educational programmes (Special Rapporteur on the Rights of Women in Africa, 2022). Similarly, GREVIO and MESECVI call for awareness-raising campaigns to prevent digital forms of violence against women (ONU Mujeres and OEA/CIM/MESECVI, 2022; GREVIO, 2021). Since attitudes towards women are shaped from an early age, the IACHR Rapporteur and GREVIO stress the importance of educational programmes designed to promote gender equality, as well as developing digital literacy (GREVIO, 2021; IACHR, 2019).

The training of professionals working with victims and perpetrators (e.g., law enforcement officers, judicial professionals, health or social workers) provides the focus for further preventative action, ensuring a better understanding of violence against women in the digital sphere, as well as the intersectional needs of victims. The IACHR Rapporteur, GREVIO, MESECVI, and the Special Rapporteur on the Rights of Women in Africa all recommend preventive action in the form of training (ONU Mujeres and OEA/CIM/MESECVI, 2022; African Commission, 2022b; GREVIO, 2021; IACHR, 2018, IACHR, 2019). GREVIO’s first General Recommendation precisely requires “mandatory and continuous capacity building, education and training for all relevant professionals [...], to equip them with knowledge on digital expressions of violence against women, responding to women and girls as victims without causing secondary victimisation and re-traumatisation, and, where relevant, information on existing legal frameworks and international co-operation mechanisms relating to the digital dimension of violence against women as well as on the gathering and securing of electronic evidence” (GREVIO, 2021).

In this vein, MESECVI together with the Cybersecurity Program of the Inter-American Committee against Terrorism of the OAS (CICTE-OAS) and the Inter-American Commission of Women has developed a free massive open online course (MOOC) on digital security with a gender perspective "Our Networks, Our Security", aimed at women of different educational backgrounds who seek to deepen their knowledge about digital security, digital rights and online violence, as well as public officials, teachers and members of organizations who provide guidance or support to women victims of online and offline gender-based violence.⁸

⁸ The MOOC is available at: <https://moocs.educoas.org/course/index.php?categoryid=8>

D. Criminalising the digital dimension of violence against women and girls

Recognition of the need for legal reforms specifically addressing the digital dimension of violence against women and girls is another shared trait of the different members of the EDVAW Platform. Particular emphasis is placed on the legitimacy and necessity of criminal law responses to online and technology-facilitated violence against women, with the UN Special Rapporteur noting that criminalisation is necessary so that victims can “protect their human rights to privacy and dignity” (Human Rights Council, 2018b). The UN Special Rapporteur further stressed that “States should adopt, or adapt (as appropriate) their criminal and civil causes of action to hold perpetrators liable” (Human Rights Council, 2018b) and, in particular, “clearly prohibit and criminalise online violence against women, in particular the non-consensual distribution of intimate images, online harassment and stalking” (Human Rights Council, 2018b). This recommendation is echoed by the UN Working Group (Human Rights Council, 2020b). CEDAW refers to the general obligation to adopt all appropriate measures, including legislation, to eliminate discrimination against women (CEDAW, 2017).

At the regional level, MESECVI states that criminal sanctions are of the utmost importance to “combat the culture of impunity regarding the perpetrators, with the enforcement of penalties that are adequate, necessary, and proportional to the criminal offense” (ONU Mujeres and OEA/CIM/MESECVI, 2022). GREVIO recalled that many of the forms of violence against women perpetrated through digital means come within the remit of intentional behaviours, which States Parties to the Istanbul Convention must criminalise, as those falling under the scope of psychological violence, stalking and sexual harassment committed online or through digital means. For instance, it considers the following behaviour perpetrated online or through digital means to come under the definition of online sexual harassment: 1) non-consensual image or video sharing; 2) non-consensual taking, producing or procuring of intimate images or videos; 3) exploitation, coercion and threats 4) sexualised bullying; and 5) cyberflashing. GREVIO recommends States Parties to review “any relevant legislation in place and adopt new legislation where needed to prevent, provide protection from and prosecute the digital dimension of violence against women” (GREVIO, 2021). It also specifies that stalking in the digital sphere includes “threats, damage to reputation, monitoring and gathering of private information on the victim, identity theft, solicitation for sex, impersonating the victim and harassing with accomplices to isolate the victim” (GREVIO, 2021).

The African Commission on Human and People’s Rights voices concern that most “States continue to have gaps in their legal framework to protect women against digital violence” (African Commission, 2022b) and accordingly invites them to adopt the necessary legislative reforms at the national level and specifically to ‘criminalise digital violence’. It also calls for greater cooperation between law enforcement agents and service providers to identify perpetrators in the context of fundamental rights and data protection laws. In a similar way, the IACHR Rapporteur on Women’s Rights suggests adopting a regulatory and criminal framework specific to prohibit the different forms of gender-based violence facilitated by information technologies (IACHR, 2018), and capable of ensuring the observance of human rights on the internet (IACHR, 2019).

E. The significant role of internet platforms in preventing and reducing the digital dimension of violence against women

The digital dimension of violence against women is most often perpetrated via privately owned internet platforms, including social media companies, mobile telephone communications technology, micro-blogging sites and messaging or dating applications, as well as some pornography websites. In addition, the major platforms aggregating and indexing global knowledge, and designing the algorithms that influence what information is seen online, are private companies. Engagement with these internet companies, therefore, is vital to ensure the prevention of the digital dimension of violence against women and the mitigation of any harms.

However, while the UN Special Rapporteur notes that internet platforms have human rights obligations, it is reported that such responsibilities have not yet been fully addressed under the international human right framework (Human Rights Council, 2018b). Furthermore, where there has been examination of internet intermediaries, less focus has been placed on how their policies and practices impact on women (Human Rights Council, 2018b). Accordingly, members of the EDVAW Platform have emphasised the role of internet intermediaries and set out a range of ways in which greater action could be taken to prevent and mitigate the harms of online and technology-facilitated violence against women.

In the General Recommendation No. 35, CEDAW recommended that States encourage the private sector, including businesses and transnational corporations, to take all appropriate measures to eliminate all forms of discrimination, including violence against women. To some extent, each EDVAW Platform member recognises that the private sector plays a vital role in both being the source of new human rights challenges, as well as providing possible solutions. In this regard, GREVIO calls on State Parties to engage with ICT companies, in order to hold offenders accountable for violence against women, and recommends measures such as effective complaint mechanisms, flagging mechanisms as well as those to remove content, content moderation practices, and gender-friendly design of technology (GREVIO, 2021). GREVIO has also focussed on the role of the ICT sector and on-line services in fighting violence against women in its baseline evaluation reports on Belgium, Sweden and Germany.

The UN Working Group added that private companies should create “effective regulatory frameworks, including for content moderation and reporting mechanisms, sanctioning perpetrators and providing reliable information to address online gender- and age-related discrimination and violence” (Human Rights Council, 2022). The Special Rapporteur on the Rights of Women in Africa has called for “effective cooperation between law enforcement authorities and service providers with regards to the identification of perpetrators and gathering of evidence, which should be in full compliance with fundamental rights and freedoms and data protection rules” (Special Rapporteur on the Rights of Women in Africa, 2022).

Besides recognising the key role of ICT companies in gathering evidence, raising awareness, and guaranteeing the respect for privacy on the internet, MESECVI has stressed that ICT companies have specific human rights responsibilities, meaning that they should protect women’s rights on the internet and respond to any violations. This could take place through the development of codes of conduct and complaints mechanisms (ONU Mujeres and OEA/CIM/MESECVI, 2022). In this vein, GREVIO’s first General Recommendation points out the need for State Parties to encourage the private and ICT sector to set “guidelines and self-regulatory standards in line with relevant human rights provisions to prevent and combat violence against women taking place in the digital sphere” (GREVIO, 2021).

IV. Promising practices identified by the EDVAW Platform mechanisms to fight the digital dimension of violence against women

The international and regional women's rights mechanisms which compose the EDVAW Platform are central to identifying progress and remaining challenges at all levels to combat violence against women, including its digital dimension. This section provides a non-exhaustive selection of national promising practices to prevent and respond to the different forms of digital violence against women that have been identified by the members of the EDVAW Platform as part of their monitoring activities.

A. Criminalising online and technology-facilitated violence against women

In recent years, many countries have introduced new laws, or revised existing laws, to ensure that online and technology facilitated violence against women, particularly image-based sexual abuse, is subject to criminal sanction. For example, MESECVI has noted that in Nicaragua, in 2020, ICT-facilitated threats and harassment were criminalised by the *Special Law for Cybercrime* and the general law is now applied to prosecute the non-consensual distribution of intimate and sexual images and doxing (ONU Mujeres and OEA/CIM/MESECVI, 2022). Moreover, MESECVI, CEDAW and the UN Special Rapporteur have pointed out in country-specific reports that new laws criminalising specific conduct, such as cyber-harassment, the non-consensual creating and/or sharing of intimate images and sexual extortion have been introduced in other countries such as in Australia, Mexico, Morocco and Sweden.

The African Commission, including the Special Rapporteur, have also noted that some African States have introduced various cyber-crime laws including, Kenya, Tanzania, Eswatini, Botswana, South Africa, and Mauritius and that some of these laws have provisions for the specific protection of women from online violence (African Commission, 2022a). In addition, several GREVIO baseline evaluation reports, such as the ones on Belgium, Germany, Poland, Slovenia, and Spain welcomed the introduction of new laws, or the revision of existing provisions, to ensure that they cover technology-facilitated forms of violence, commonly stalking and harassment, as well as specific provisions covering non-consensual image sharing.

B. Recognising the digital dimension of domestic violence

Legal reforms addressing domestic violence have increasingly recognised that ICTs facilitate the commission of this criminal offence. The criminal law in many countries has been expanded to ensure its application to the digital dimension of domestic violence. In Brazil, for instance, MESECVI noted that new laws allow the victim of image-based sexual abuse, particularly the non-consensual creation and storage of intimate images, videos, and audios made by a former or current partner, to request urgent protective measures. These claims are processed through specialist domestic violence courts (ONU Mujeres and OEA/CIM/MESECVI, 2022).

Another example can be found in Romania, where GREVIO's baseline evaluation report noted that the recent amendment to the domestic violence law included cyber-violence, comprehensively defined as: "online harassment, online messages that instigate hate on the basis of gender, online stalking, online threats, non-consensual publishing of information and intimate graphic content, illegal access to interception of communications and private data and any other form of misuse of information and communication technology by means of computers, smartphones or other similar devices that use telecommunications or can connect to the internet and may transmit and use

social platforms or email platforms, with the intent to cause embarrassment, humiliate, scare, threaten, or silence the victim”.

C. Access to justice and support for victims of digital violence

In several countries, specialist law enforcement units with in-depth knowledge of online violence against women are being introduced to ensure effective and responsive police investigations and victim support. MESECVI noted that such specialist law enforcement units are increasingly common in Latin America. For example, the Federal Police of Mexico has a forensic division responsible for the investigation of cybercrimes, including online and technology-facilitated violence against women and girls. Likewise, the National Police of Colombia has a similar Police Centre for Cybernetics, and the Federal Police in Brazil includes an Office for the Suppression of Cybercrime (OAS/CICTE and OAS/CIM/MESECVI, 2022).

In Europe, GREVIO’s baseline evaluation report on Romania noted that the current national strategy for preventing and combating sexual violence has set up similar specialist units, both in the law enforcement agency and in the State Prosecutor’s Office. In Slovenia, GREVIO’s baseline evaluation report welcomed a recent initiative which paid particular attention to the area of online and technology-facilitated violence against women and girls. Seminars and training sessions were organised for law-enforcement officers and judges with the aim of enhancing their capacity to investigate and prosecute the digital dimension of violence against girls and women. A handbook with guidelines on the roles to be played by the law-enforcement agencies and the judiciary in successfully dealing with cases of online and technology-facilitated violence against women and girls was also adopted and distributed to all Slovenian police stations and directorates, prosecutors’ offices and courts.

Providing victims with assistance and support goes beyond effective and responsive law enforcement and involves counselling, legal, housing and other services. As a promising practice, the Ministry of Women and Vulnerable Populations of Peru has established a digital platform where victims can report cyber-harassment (OAS/CICTE and OAS/CIM/MESECVI, 2022). Several hotlines, which cover gender-based violence including its digital dimension, also exist to report and/or seek support including in Argentina and Belize where a text messaging channel has also been launched. MESECVI has also highlighted the provision of advisory services and assistance in care centres and shelters for victims by IT and cybersecurity experts, enabling women and girls to evaluate potential threats to their digital integrity (ONU Mujeres and OEA/CIM/MESECVI, 2022).

The UN Special Rapporteur noted in 2018 the need for specialist helplines to support victims of online and technology-facilitated gender-based violence and drew attention to promising examples such as the Access Now Digital Security Helpline which helps women at risk of violence to improve their digital safety practices and provides emergency assistance for women under attack. This around-the-clock service, available in eight languages, aimed to respond to all requests it receives within two hours (Human Rights Council, 2018b). Another example is the Digital Rights Foundation in Pakistan which addresses online harassment through research, advocacy and service delivery. Its Cyber Harassment Helpline is the region’s first dedicated helpline for cases of online harassment and violence (Human Rights Council, 2018b).

The Special Rapporteur on the Rights of Women in Africa issued Guidelines on Combatting Sexual Violence and its Consequences in Africa which sets out a framework under which cases of sexual violence against women should be investigated and prosecuted which include access to legal assistance for the victims to access justice (African Commission, 2017). This framework is also relevant to the access to justice for violence against women online.

D. Education and awareness-raising on the digital dimension of violence against women

The members of the EDVAW Platform have identified promising examples of public campaigns and educational programmes seeking to raise awareness of the nature and impact of the digital dimension of violence against women. In Peru, the National Program against Family and Sexual Violence created the platform "We protect ourselves from virtual harassment" aiming to improve understanding of online and technology-facilitated violence. It includes a 'virtual harassment test' that helps identify if you are a victim of digital violence and provides a process to register complaints (ONU Mujeres and OEA/CIM/MESECVI, 2022). In collaboration with civil society organisations, the Peruvian Ministry of Women and Vulnerable Populations has also launched the #ConnectedAndSecure (#ConectadasYSeguras) campaign, aiming to raise public awareness about the impact of online harassment.

Another promising practice comes from Slovenia, where GREVIO's baseline evaluation report noted that different ministries have collaborated to introduce a special curriculum into schools addressing the social unacceptability of online gender-based violence. A similar course was attended by teachers, school counsellors, social workers, and other professionals working with children, as well as specific training for law enforcement personnel and the judiciary.

E. Collecting data on the digital dimension of violence against women

Accurate data collection is of the utmost importance to evaluate the significance, impact, scale and nature of online and technology-facilitated violence against women and girls, in order to introduce effective law and policy reforms. Thus, the CEDAW General Recommendation no. 35 requires State Parties to "[e]stablish a system to regularly collect, analyse and publish statistical data on the number of complaints about all forms of gender-based violence against women, including technology-mediated violence" (CEDAW, 2017). In a similar vein, GREVIO's first General Recommendation requires state parties to "establish a system to systematically collect and analyse disaggregated data on violence against women with a digital component, including complaint, incidence and conviction rates, as well as data on the civil justice measures imposed, such as restraining orders" (GREVIO, 2021). It adds that all data need to be gathered and analysed through an intersectional lens and disaggregated by the type of violence, age and relationship between the perpetrators and victims, potential aggravating circumstances and other intersecting characteristics. It also emphasises the need to collect "data on suicides or suicide attempts and on gender-based killings of women and their children, including information on the history of harassment, including at the workplace, stalking or psychological violence perpetrated in the digital sphere" (GREVIO, 2021, para. 57(e)).

As a promising initiative, the Argentinian NGO 'Communication for Equality' and the Colombian NGO 'Sentiido', together with UNESCO, have collected and examined data on the digital dimension of violence against women journalists in Argentina, Colombia, Nicaragua, Mexico, Paraguay, Uruguay, and Venezuela (ONU Mujeres and OEA/CIM/MESECVI, 2022).

F. Holding internet platforms, including social media companies, accountable

In view of the capacity of internet companies to facilitate and amplify online and technology-facilitated violence against women, as well their vital role in reducing and mitigating harms, steps are being taken to introduce greater regulation of internet platforms, including social media companies. In Brazil, for example, regulations lay down the responsibility of internet platforms for third party content, including requirements to remove non-consensual intimate material in a reasonable time and without the need for a judicial order of removal (ONU Mujeres and OEA/CIM/MESECVI, 2022). Similarly, in Uruguay, internet platforms are held criminally

responsible if they do not swiftly remove non-consensual content (ONU Mujeres and OEA/CIM/MESECVI, 2022).

The UN Special Rapporteur has stressed in many national reports the importance of examining regulation of the private sector regarding online and technology-facilitated violence against women. For example, in 2019, in its country report on Nepal, the UN Special Rapporteur called on the government to “revise the draft national integrity and ethics policy, the privacy policy and the draft online media directive and to amend the Electronic Transactions Act and the National Broadcasting Regulations, in consultation with the National Human Rights Commission and civil society, to ensure that they do not restrict the activities and freedom of expression of representatives of non-governmental organisations working on the rights of women”. In 2022, the UN Special Rapporteur, in its country report on Mongolia, recommended that the government devises legislation that effectively tackles workplace harassment and online violence.

GREVIO’s baseline evaluation report on Germany welcomed its plans to reform the Network Enforcement Act to introduce an obligation on platforms to report certain unlawful content to the Federal Criminal Office. It also noted with interest the practices in the Central Cybercrime Office for North Rhine-Westphalia based at the Cologne Public Prosecution Service which has carried out the project “Tracking instead of just deleting” together with the State Media Authority. This project focuses on protecting freedom of expression by ensuring removal of criminal content only, rather than all material considered inappropriate. In Belgium, GREVIO welcomed the legal reform adopted in 2020 that criminalises the non-consensual sharing of sexual images and recordings, while providing for a procedure for blocking and deleting such images, including fines for internet platforms which fail to cooperate.

G. Adopting a multi-agency approach to countering the digital dimension of violence against women

A multi-agency approach holds the promise of a holistic response to preventing and mitigating the harms of online and technology-facilitated violence and providing victims with redress. One such example can be found in Australia where the UN Special Rapporteur highlighted the work of the eSafety Commission, a government agency, which has responsibilities for tackling online violence, including image-based abuse (Human Rights Council, 2018a). The eSafety Commission is composed of a cross-sector team of lawyers, educators, digital specialists, and policy analysts that collaborate to design education and raising-awareness programmes, advocacy at the national level, as well as the removal of online abusive content.

V. Challenges identified by the EDVAW Platform mechanisms in the fight against the digital dimension of violence against women

Despite the above promising steps taken by governments to address the digital dimension of violence against women, the members of the EDVAW Platform have identified persisting gaps at all levels in national action taken to combat such violence. This section provides a non-exhaustive outline of these challenges, as identified by the members of the EDVAW Platform as part of their monitoring activities.

A. A lack of common terminology on the digital dimension of violence against women

The frequent lack of common terminology for use at national level makes it difficult to compare and evaluate the nature, significance, scale and impact of online and technology-facilitated violence against women and girls. MESECVI has emphasised how the lack of agreed terminology and information has led to the use of inappropriate terms, making it difficult for women and girls to name their experiences and prompting an inadequate response from the authorities. Nonetheless, MESECVI also noted that due to continuous techno-social change, this terminology should be dynamic, and it is important to avoid adhering to rigid definitions and online/offline dichotomies (ONU Mujeres and OEA/CIM/MESECVI, 2022).

B. The scarcity of statistical data on the digital dimension of violence against women

The general lack of data on the digital dimension of violence against women is exacerbated by the fact that existing data is often not disaggregated by sex, age, relation between the victim and the perpetrator, disability or other relevant factors. This gap may be due to a range of factors including the lack of consideration of the digital dimension in national statistics on violence against women and girls; the absence of statistics disaggregated by sex on the incidence of computer and cybercrimes; and the lack of official records of complaints about digital violence. The EDVAW Platform members have recognised that steps must be taken to collect comprehensive data disaggregated by sex and intersectional experiences. For instance, in its baseline evaluation report on Germany, GREVIO regretted that no action had been taken to measure the prevalence of the digital dimension of violence against women. MESECVI has added that while there is a general lack of data regarding online and technology-facilitated violence, the lack of transparency from internet intermediary companies, which rarely share disaggregated data, makes it even more difficult to both understand the real extent of violence and propose targeted measures to reduce and prevent it (ONU Mujeres and OEA/CIM/MESECVI, 2022).

C. Gaps in the provision of training on the digital dimension of violence against women

Even in countries where online and technology-facilitated violence against women and girls has been criminalised, few awareness-raising actions or specific training for legal and criminal justice personnel are in place. This means that law enforcement agents and other professionals working with victims are not adequately equipped with the skills and knowledge to address cases of online and technology-facilitated violence. As noted in GREVIO's first General Recommendation, such lack of awareness and training can lead to victim blaming and the dismissal of cases (GREVIO, 2021).

D. A patchwork of legal responses with limited scope

While many countries have introduced new laws to criminalise some forms of online and technology-facilitated abuse, many provisions have limits on their scope, as well as on their practical implementation. This is often due to laws being introduced because of specific campaigns or high-profile tragedies, rather than constituting a comprehensive and holistic response to all forms of online and technology-facilitated violence against women. For example, CEDAW's report on its visit to Indonesia in 2021 noted that victims of image-based sexual abuse can be prosecuted under laws relating to electronic information and transactions, and pornography laws, thereby reducing the likelihood of victims reporting to the police.

MESECVI also noted that legislation in some countries places the burden of proof on victims to prove they have suffered harm through expert reports, again inhibiting victims reporting and successful prosecutions (ONU Mujeres and OEA/CIM/MESECVI, 2022). The UN Special Rapporteur noted that even when laws specifically criminalise the non-consensual distribution of sexually explicit images, shortcomings often remain. For example, several criminal laws require evidence of the intent to cause harm or emotional distress to the victim, which may be difficult to prove, making convictions harder to achieve. Moreover, many laws currently in place do not address threats to release intimate images or videos (Human Rights Council, 2018b).

E. Few specialist support services for women victims of violence in digital spaces

While the UN Special Rapporteur recommended that States should provide services for victims of online and technology-facilitated gender-based violence, including specialist helplines, there are few examples of such support (Human Rights Council, 2018b). Although the mechanisms of the EDVAW platform recognise the need for specialist support for women experiencing violence and abuse (GREVIO, 2021), and such helplines, shelters, counselling and legal support services may assist women experiencing online abuse, there is also a need for specialist support with the digital dimension of violence against women and girls. For example, there is a need for direct assistance to get content removed, such as non-consensual intimate imagery, and for dealing with online attacks, trolls, doxing and hacking. Specialist guidance is also essential for victims regarding the technology used to facilitate violence against women, such as stalkerware and spyware apps. GREVIO has noted that while it is expanding its review of levels of support and protection from violence against women experienced in the digital sphere, it has to date witnessed very little dedicated support services that comprehensively address the complex issues involved (GREVIO, 2021).

VI. Looking ahead: strengthening synergies within the EDVAW Platform in addressing the digital dimension of violence against women

The international and regional women's rights mechanisms of the EDVAW Platform play a crucial role in monitoring states' responses to the digital dimension of violence against women, as well as fostering multilateral dialogue in this realm. Therefore, this section points to possibilities for the further strengthening of the Platform's co-operation and the building of synergies in addressing the digital dimension of violence against women.

A. Recognising the interconnection between the digital dimension of violence against women and women's public and political participation

As a result of sustained online and technology-facilitated harassment and abuse, many women self-censor online and withdraw from online civic engagement which adversely impacts on their professional, social, political and economic lives. Women politicians, journalists and human rights defenders are particularly affected. Calls to tackle the digital dimension of violence against women, however, are often challenged on the basis that they unduly restrict freedom of expression (ONU Mujeres and OEA/CIM/MESECVI, 2022). The public and policy debate is often characterised as a binary choice between freedom of expression *versus* regulation.

In this context, the 2022 Joint Declaration on Freedom of Expression and Gender Justice by international human rights rapporteurs is especially significant (UN Special Rapporteur on Freedom of Opinion and Expression and others 2022). It notes that "online gender-based violence, gendered hate speech and disinformation" are "proliferating with the aim of intimidating and silencing women". It clarifies that online and technology-facilitated violence against women has particular significance for women's freedom of expression as it encompasses harmful speech, as well as behaviour facilitated by digital technology. It also sets out a range of measures to be taken by states, social media platforms and internet intermediaries to reduce and prevent online and technology-facilitated abuse of women which restricts their freedom of speech.

The members of the EDVAW Platform are mindful of the adverse impact of violence and abuse on women's participation in online and offline spaces, and their ability to express themselves without fear of sexual harassment, stalking, threat and other forms of violence. Thus, they have a central role to play in exposing, through their monitoring work, the interconnections between measures to respond to the digital dimension of violence against women and the need to promote women's freedom of expression online, while ensuring that measures in place allow for perpetrators to be held accountable for their acts.

B. Addressing the growing spread online of anti-women's rights rhetoric

By facilitating acts of violence against individual women, ICTs can also enable, encourage and sustain climates of collective violence. Therefore, the growing threat from collective misogyny and anti-women's rights movements needs to be recognised at all levels as constituting a serious threat to women's human rights, collectively and individually. Action at the national, regional and international level is required due to the cross-border nature of online communities. Building strategies to address the proliferation of negative stereotypes against women and anti-women's rights rhetoric online which legitimise and sustain the digital dimension of violence against women is of importance, and the shared knowledge and insights into the issue as gained by the respective EDVAW Platform members can be of use.

C. Better recognising the digital dimension of domestic violence and abuse

The international and regional women's rights mechanisms comprising the EDVAW Platform recognise that domestic violence is alarmingly prevalent, with rates increasing since the Covid-19 pandemic. Detailed analysis is dedicated to this form of violence against women by each of the mechanisms, with many concrete recommendations and examples of good practice emerging. However, if the evolving nature of domestic abuse is to be understood, and effective action to be taken in order to prevent and reduce it, its digital dimension needs greater recognition. Technology is now an integral part of many women's direct experiences of domestic violence, with online abuse often leading to offline abuse, and vice versa. With technology offering greater means of control, it has no limits of time or space, with the feeling that perpetrators are omnipresent.

With due regard to their respective mandates, the members of the EDVAW Platform have an important role to play in further identifying the gaps and challenges, at national level, in responding to the digital dimension of domestic violence. Embedding the digital dimension of domestic violence in any country-related monitoring exercises across the globe will help expose the magnitude of the issue and identify good practice examples.

D. Mainstreaming the digital dimension of violence against women

A concerted effort is crucial to ensure that the digital dimension of violence against women is integrated into all aspects of the work of each of the international and regional women's rights mechanisms which comprise the EDVAW Platform. There are already promising practices, including thematic reports, such as that from the UN Working Group focussing on the online dimension of abuse against young women and girl activists (Human Rights Council, 2022). There are also examples of some country evaluations where the digital dimension is considered in relation to some aspects of the review. This demonstrates that the members of the EDVAW Platform have a vital role to play in more systematically monitoring measures taken to address the digital dimension of violence against women in all their activities.

E. Exploring synergies with other human rights sectors and mechanisms, particularly cybercrime and business-related human rights

The fight against the digital dimension of violence against women and the protection of women's human rights is at the intersection of competing rights and freedoms, including those engaging wider economic, financial and business interests. For example, rights to privacy and data protection require examination in order to identify forms of online and technology-facilitated violence against women, as well as offering opportunities for redress. It is important, therefore, to continue to promote dialogue with other human rights mechanisms and international bodies such as the UN Special Rapporteur on the Right to Privacy, the IACHR Special Rapporteur for Freedom of Expression, and the Cybercrime Convention Committee monitoring the Council of Europe Convention on Cybercrime.

As most online and technology-facilitated violence against women is perpetrated via internet and social media platforms, greater engagement with relevant international bodies may help to promote better protection for women's rights in the digital sphere, including the UN Working Group on Business and Human Rights, the UN Special Representative on Human Rights and Transnational Corporations and other business enterprises, the UN Internet Governance Forum, and the IACHR Special Rapporteur on Economic, Social, Cultural, and Environmental Rights.

In this vein, the UN Special Rapporteur and MESECVI have explicitly referred to the relevance of the UN Guiding Principles on Business and Human Rights and the need to establish a dialogue between human rights mechanisms on violence against women and international actors addressing

business-related human rights (ONU Mujeres and OEA/CIM/MESECVI, 2022; Human Rights Council, 2020b). For its part, the UN Working Group on Business and Human Rights has made it clear that “business enterprises have responsibility to avoid infringing on women’s human rights and to address the adverse human rights impacts with which they are involved. [... Accordingly,] business enterprises should take effective measures to ensure that women are not harassed, bullied or intimidated in cyberspace and that they are able to use social media platforms without fear of discrimination or threat of violence” (Human Rights Council, 2019a). This approach can be built on further.

F. Engaging with the private sector to prevent and mitigate online harms

The international and regional women’s rights mechanisms of the EDVAW Platform recognise the fundamental role the private sector can play in preventing and mitigating the digital dimension of violence against women. Where appropriate, greater attention could be given to encouraging States to actively engage with internet platforms, with a focus on the platforms’ systems and processes that facilitate and amplify the digital dimensions of violence against women. Legal and policy reform needs to target the ICT sector, including internet platforms, to ensure a safe online environment for women where their rights are respected and fostered. This may include mandatory requirements relating to risk assessments and harm reduction measures, with a focus on women and girls, as well as reviewing the systems and processes, such as algorithms, that may amplify and sustain online violence and abuse.

It may also include transparent and easily accessible reporting mechanisms with effective responses and sanctions, effective moderation by individuals with training relating to online and technology-facilitated violence against women, swift takedowns of harmful material and the mandatory provision of independent audits and comprehensive annual transparency reports relating to implementation of the policies.

G. Reaffirming the intersectional experience of the digital dimension of violence and need for specialist support

All members of the EDVAW Platform recognise the intersectional nature of violence against women, namely that gender-based violence may affect some women to different degrees or in different ways. While research to date finds that women’s experiences of online and technology-facilitated abuse is more common and with greater adverse impacts according to characteristics such as but not limited to age, relationship between the victim and the perpetrator, disability, further disaggregated data is required to better understand the experiences of many women in vulnerable situations.

The intersectional nature of discrimination experienced by many women needs to be at the heart of responses to the digital dimension of violence against women. This may include sustained resourcing of specialist support ‘by and for’ women experiencing abuse on multiple and intersecting grounds including disability, socio-economic background, sexual orientation, belonging to a national/ethnic minority, migrant status, among others. Women facing intersectional discrimination need to be part of the civic dialogue on the digital dimension of violence against women. Placing greater emphasis on the extent to which national responses include their specific experiences and needs will help the members of the EDVAW Platform to reinforce their intersectional approach to the monitoring of international and regional human rights standards.

H. Anticipating the new frontiers of the digital dimension of violence against women

Online and technology-facilitated violence against women is a dynamic phenomenon, with digital platforms and other technology in an on-going process of development. The integration of technology into our lives is likely to become ever-more intense, particularly with the creation and development of the metaverse. The metaverse is the emerging, immersive digital environment that will transform everyone's lives and is likely to represent a similar technical leap forward, and transformation of society, as the creation of the internet and smartphones. Physical and digital realities will merge in the metaverse, with avatars – digital humans – interacting. Accounts of violence against women are already emerging and reveal the intimidating, violating nature of these experiences and their chilling effect on women's participation in this new technology. In response, some metaverse companies are introducing technical changes, but these actions are reactive rather than proactive, underlining that women's safety and rights are not being designed in from the beginning.

The EDVAW Platform members have an important role to play in bringing their expertise to the fore in discussions around human rights implications of evolving technology. By offering their knowledge and insights into the vast field of digital manifestations of violence against women, individually and collectively, they can help ensure forward-thinking policy development that places the rights of women, notably their right to live free from violence, at their centre.

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The Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform) gathers seven independent expert mechanisms on violence against women and women's rights operating at the international and regional levels. It gathers the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the United Nations (UN) Special Rapporteur on violence against women, its causes and consequences, the UN Committee on the Elimination of Discrimination against Women (CEDAW), the UN Working Group on the issue of discrimination against women in law and in practice, the Inter-American Commission on Human Rights' Rapporteur on the Rights of Women, the Special Rapporteur on the Rights of Women in Africa, and the Committee of Experts of the Follow-up Mechanism of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women - Belém do Pará Convention – (MESECVI).

This thematic paper intends to provide a comparative overview of approaches to the digital dimension of violence against women developed over time by the international and regional women's rights mechanisms that together make up the EDVAW Platform. Its aim is to trace developments across these mechanisms as well as evolution in terminology, concepts and approaches to the issue. It presents commonalities and differences in the way in which these mechanisms frame and approach online and technology-facilitated violence against women within their mandates in order to promote dialogue among the various Platform members. It identifies challenges and promising practices in addressing the digital dimension of violence against women and provides proposals for further action to be taken by the EDVAW Platform to respond to digital violence against women.



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