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Cyber Crimes Against Women in Recent Times – Alertness and Redressal

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Abstract

Crimes against women have roots in the male dominated, socio-economic, political and legal order. Assaults on women are often associated with their social status, their communal, ethnic and caste identities. The subjugation of women is largely linked to the deeply entrenched patriarchy in the society. It is saddening that most crimes against women go

unreported, for obvious reasons- the social stigma attached, the distrust in the legal system, the culture of victim shaming, fear of retaliation by the criminal and so on. Moreover, institutional indifference makes matters worse.

In present times, cybercrimes against women have escalated significantly. This article highlights the *emerging trends and the impacts of COVID-19 on online and information and communication technology (ICT) facilitated violence against women*. It examines the strategies that are being introduced to respond to ICT facilitated violence against women and suggests how different actors can contribute towards managing the growing menace of cybercrimes against women. It also explores the redressal mechanisms and practices that can be followed to ameliorate the condition of women, ensure their dignity and make cyberspace safer for them.

Keywords

Cyber Defamation, Morphing, Grooming, Cyber-Pornography, Phishing, E-Mail Spoofing, Trolling, Gender Digital Divide.

Introduction

In recent times crimes against women have been on the rise. It has become a global menace with victims in every region of the world. Women of all races, ethnicities, professions, classes and nationalities are subjected to various crimes. Over the past few decades, women's organizations have created an immense shift in understanding the nature of

crimes against women. From being seldom mentioned, gender-based violence has now become a part of the public agenda and the issue often finds a place in mainstream political campaigns. Women's groups and networks have reiterated that violence against women is not only a crime, it is a grave *violation of their human rights* and right to a dignified life, and an impediment to their freedom and security. These crimes often have a profound adverse impact on the families of victims as well.

Outwardly, it appears that violence against women embodies forms of physical assault only. However, the *UN declaration on Elimination of Violence against Women* defines the term "violence against women" as '*any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.*'

This comprehensive definition of violence hints that over the past few decades, crimes against women and girls have amplified and are manifested in several disturbing forms- from domestic violence to verbal abuse to rape to child marriages to harassment in the workplace to the most recent and egregious form – cyberbullying. As the COVID-19 pandemic exacerbated social and economic troubles for people, restricted mobility and introduced the world to social isolation measures, gender-based violence - particularly domestic violence and intimate partner violence has increased

exponentially. This has been accompanied by a dismal increase in cybercrimes due to increased presence of women on the internet during the pandemic. Recently, *UN Women* has stated that the violence against women has become a *shadow pandemic*, amidst the ongoing COVID-19 pandemic.

Words and expressions that hardly existed a few years ago have become common parlance now as cybercriminals utilize new advances to launch cyberattacks against governments, organizations and people. These wrongdoings know no boundaries, neither physical nor virtual and cause serious harm and pose grave threats to victims globally. Although there is lack of a coherent, globally accepted definition of online and ICT facilitated violence, it can be understood as *verbal and/or psychological abuse or harassment online*. It takes different forms such as cyberstalking, cyber defamation^[1], morphing^[2], inappropriate advances on social media, grooming^[3], hacking, phishing^[6], email-spoofing^[5], cyberbullying, sextortion^[7], circulation of cyber pornography^[4] and explicitly sexual images and trolling^[8]. A cyberstalker does not indulge in direct physical assault with the victim rather he stalks the victim on online platforms and monitors his/her online activities to collect information and make threatening advances through online means. The anonymity of online contact lowers the risk of identification which makes cyberstalking more frequent and dangerous than physical stalking. While cybercrime has both men and women

as its victims, it has been reported that women are targeted disproportionately as compared to men.

By early April 2020, with more than half of the world's population under pandemic induced lockdown conditions- the quarantine measures and self-isolation policies increased internet usage by up to 70%. Men and women turned to the internet for work, classes, communicating with friends and family, learning new skills and for other social activities. This resulted in women and girls using internet with greater frequency during the pandemic which didn't happen earlier due to the gender digital divide^[9], among them many were new users which were at a greater risk of cybercrimes.

During the ongoing pandemic, several cases were documented by women's rights organizations and the media of unsolicited pornographic videos displayed during participation of women in online social events. Women received threats of physical violence and harmful sexist content along with zoom-bombing during video calls showing racially imbued and sexually explicit material to the unexpected participants. The data revealed by *UN Women* has also laid out some shocking statistics related to cybercrimes against women and established it as a menace that needs to be curbed immediately. For instance, the report mentioned that in the *United States of America*, out of every ten young women aged 18-29 have been sexually harassed online and one in two say that they were sent unwarranted sexual images. Also, according to the **Pew report 2017**, women in the US are

almost twice as likely as men to be targeted as a result of their gender. One in 10 women in the European Union have reported having experienced cyber-harassment since the age of 15. This includes receiving unwanted and/or offensive sexually explicit messages or emails or inappropriate advances on social networking sites.

In *Canada*, one in five women reported that they had experienced online harassment in 2018, whereas in *France*, 15% of women mentioned having experienced some form of cyber harassment. The *Office of the e-safety Commissioner in Australia* reported that online abuse and bullying has increased in the past few months by 50%. Also, *Europol* has revealed that online activity by those seeking child abuse material in Europe is increasing. Cybercrimes across Asia have also been on the rise. In Pakistan, the *Hamara Internet* study revealed that 40% of women had faced various forms of harassment on the internet. According to the *United Nations Commission on Human Rights*, peer-to-peer online violence against women and girls has intensified amid the quarantine in *Philippines*.

Pornographic traffic has also spiked drastically during the quarantine period compared to earlier times, thereby increasing the risk of sextortion^[7] worldwide. Cyberbullying has also become common between school and college going students where women are often bullied or harassed on social media platforms by their classmates. They are shamed for their appearance, their body weight and their personal lives. Often there may be people in schools, colleges or in

workplaces who might not communicate in person but find it easier to do so on a virtual platform.

In India too, during the COVID-19-induced lockdown, there was a significant increase in cybercrime against women, especially crimes such as sextortion^[7]. As per the data released by the *National Commission for Women (NCW)*, they received 412 authentic grievances of cyber abuse from 25 March to 25 April 2021. Of these, 396 women's complaints were severe in nature, ranging from harassment, phishing^[5] emails, indecent exposure, unsolicited pornographic images to blatant threats.

UN Women in its recent report has also quoted that some groups of women which are commonly in the public space- such as women politicians, journalists, environmentalists, bloggers, activists, celebrities and women belonging to ethnic minorities, indigenous women, LGBTQ women and those with disabilities are particularly targeted by ICT-facilitated violence. It has been brought to light that across the world, 82 per cent of women parliamentarians reported having experienced some form of psychological violence while serving their terms. This involved sexist and humiliating remarks, gestures, mobbing, and trolling on the internet. Social media has been reported as the main instrument for perpetuating this type of violence.

It is distressing to know that online forms of violence against women and girls can have impacts on the *psychological and reproductive health of women*, and in many

cases can be followed by offline physical and sexual violence. Researches have revealed that online violence against women and girls causes high levels of stress, anxiety, depression, panic attacks, traumas and may negatively affect the self-esteem of the victim. In an atmosphere of quarantine and isolation during the pandemic-induced lockdowns, such feelings get aggravated further and cause long term emotional and psychological damage. When women become victims of such online violence they develop fear of encountering it again which might restrict their online access and deprive them of productive internet usage such as for education, online medical support, essential services, groceries, household supplies etc. It also impedes the right of women to participate fully in society.

Moreover, as governments across the globe adopt *digital governance* tools, the participation of women is crucial as digitally active citizens. Besides, the internet is being widely used by public authorities to connect with local communities, disseminate health guidelines and publicize government schemes and policies in a situation when access to public spaces is limited. But the increasing online and ICT facilitated violence against women limits their participation due to fear of unsafe cyberspace. On the contrary, internet access that is safe, inclusive and affordable can increase the participation of women in the ICT space and thus abate the gender digital divide.

Additionally, one of the most important medium for combating global gender discrimination is the inclusive participation of diverse women, especially the ones who are usually left out. However, as evidence suggests, women of LGBTQ community, ethnic minorities and indigenous women are often bullied online through minatory and execrable hate speech. During COVID, as more women use the internet and social media to campaign for their rights in open links and public debates, there is a higher risk for them to be targeted. This often leads them to withdraw from online debates and dialogue, thus silencing their voice.

Although ameliorative legislative measures have been adopted for women in most democratic countries but they still continue to be the subjugated lot in the wake of adverse institutional practices and behavior patterns. For instance, the concept of equality and non-discrimination finds its place in the Indian Constitution, but in spite of that gender discrimination and injustice continue to occur. The implementation of laws granting rights to women has been slow, cumbersome and haphazard. This is also a factor why aggressive violence against women is on the increase. However, with concerted efforts by people and community as a whole, the perils of cybercrimes against women can be tackled and effective redressal mechanisms can be developed. For this purpose, everyone has a role to play - particularly governments, civil society, non-governmental organizations and internet intermediaries.

Cyber laws and procedures need to be constantly evaluated as women face difficulties while seeking redressal due to a lack of awareness. Firstly, internal and external protocols and codes of conduct for law enforcement authorities addressing online violence against women should be precise and unambiguous. Effective implementation of existing laws against cybercrimes and their updation to meet the most recent challenges should be made a priority. For instance, *section 506 of IPC* deals with the offense of criminal intimidation by use of emails or other electronic means of communication for threatening any person. Also, as per the *Information and Technology Act, 2000*, stalkers and cybercriminals may be booked for violation of privacy under many Sections, such as *Section 67* of the Act deals with publishing/transmission of obscene material in electronic form and *Section 66 C* for offences involving theft of passwords or electronic signatures.

The judicial mechanisms for addressing online violence should be consolidated. *Tribunals and fast track courts* specializing in cyber law should be set up, with a focus on making them function in a quick, effective and simplified manner. Most importantly, these courts should be easily approachable and accessible for the victims.

Propagating *Digital literacy* for people of all age groups should be a major goal of the state and education sector. Tips and tools should be provided to internet users on how to identify and report online harassment and other forms of ICT

facilitated violence against women and girls. Also, specialized helplines should be maintained and expanded to provide support to women and girls who have been subjected to online and offline gender-based violence during COVID. Simple, yet effective online safety advice for women, youth and children should be shared with internet users such as avoiding online communication with strangers, abstinence from accessing suspicious links, not responding to spam calls or participating in bogus financial schemes, not disclosing account details or making transactions on unauthentic platforms.

The existing directives for addressing sexual exploitation of children online and child pornography should be strengthened and rigorous punishment for the offenders should be laid out. Furthermore, an accessible and transparent reporting and complaint procedure should be provided for online and ICT-facilitated violence against women and girls. *Access to free helplines in local languages* should be provided for women of all age groups. It would be a prudent move to invest in education campaigns on preventing ICT-facilitated violence against women and girls, and promoting human rights and digital security for all. In this regard, collaboration with feminist tech companies and civil society organizations for designing short and long term solutions would be highly beneficial.

In the present work-from-home setup during the pandemic, employers and workplaces are mostly the only source of contact outside of the home. Thus, employers should

emphasize on *zero-tolerance for violence of any kind*– child abuse, sexual harassment, intimate partner violence, anonymous cyberbullying by colleagues among others- and can ensure continuous economic stability for employees during this time by extending benefits and employment contracts. Also, efforts should be made to sensitize both men and women in the workplace to effectively challenge gender discrimination and end the violence resulting from it. Employers can also take dedicated steps to challenge gender inequality, stereotypes, discrimination, harmful male chauvinism and encourage pro-social behaviours.

For decreasing the crime rates, it is important to sensitize both men and women about gender equality from an early age so that gender stereotyping can be shunned. This would help in reducing the chances of men objectifying women and women yielding to patriarchal attitudes.

Eliminating the very factors which put women at an increased risk of such crimes would be the finest and the most effective strategy, i.e. treating the cause rather than the symptom. Making women socially and economically empowered and self-sufficient is critical as a cushion against financial strain and poverty which are the risk factors for abuse. This could be done through cash transfers by the state, tax relief, cheap credit for entrepreneurial activities, housing/rental allowance, unemployment insurance, provision of food and basic household goods etc. For instance,

evidence of cash transfers has shown reductions in intimate partner violence.

Considering the lasting repercussions of crimes against women, remedies to minimize the same should be considered in economic recovery plans and the governments should set high-level and clear commitments to uphold women's safety in online spaces during the pandemic. With concerted efforts, cybercrimes can be kept in check and through adequate digital literacy and dedicated participation of stakeholders and intermediaries, their damage can be minimized. After all, all things are difficult before they are easy and the mode by which the inevitable comes to pass is effort.

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