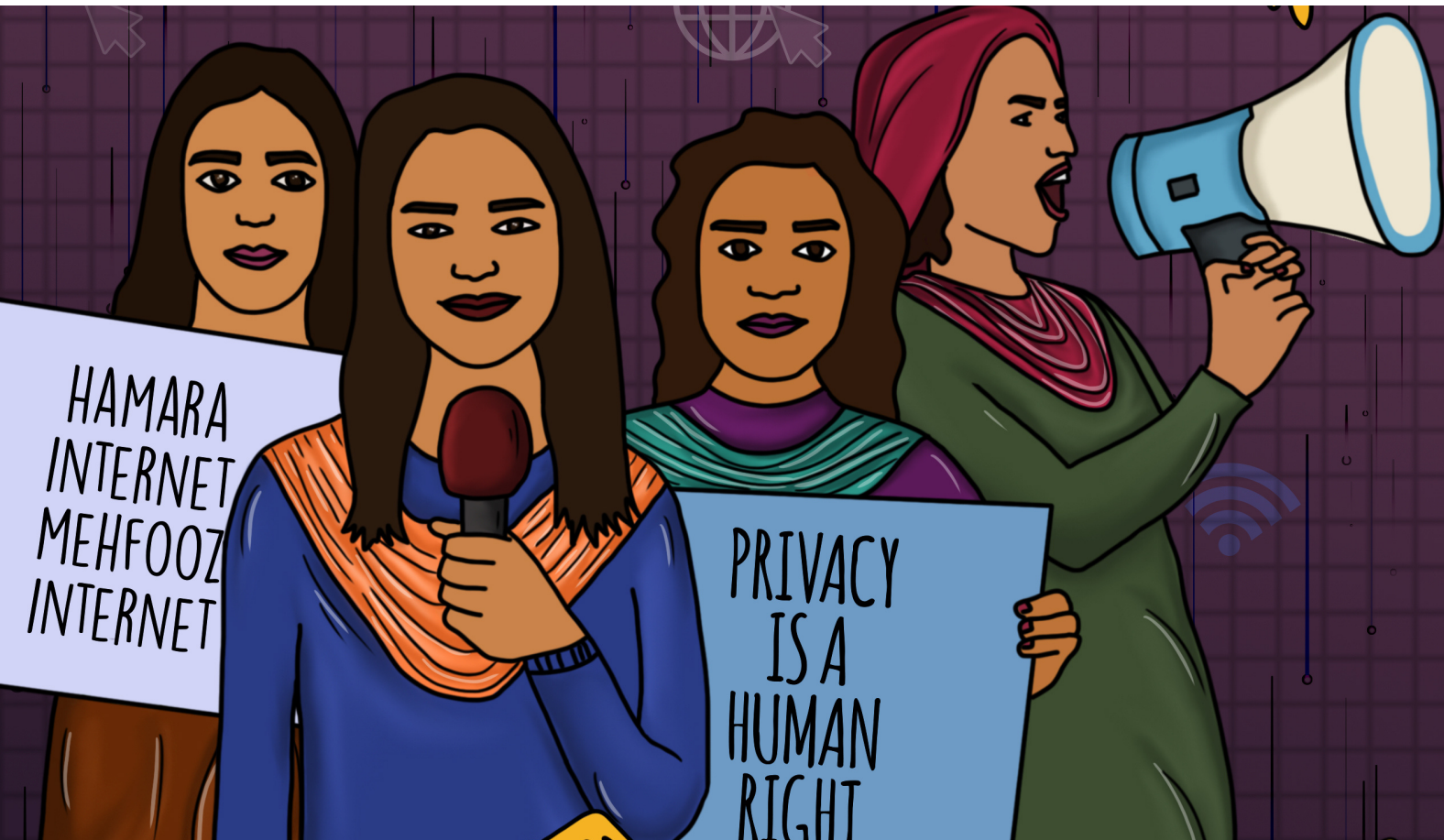# CYBER HARASSMENT DURING THE COVID-19 PANDEMIC IN PAKISTAN

The partnership between UN Women Pakistan and Digital Rights Foundation (DRF) has enabled the continuation and expansion of the helpline project, especially during the COVID-19 pandemic, in order to respond to the increasing incidence of Gender-Based violence (GBV) and challenges in accessing support and services.

The Cyber Harassment Helpline run by DRF provides digital, legal and psychological assistance to survivors of online harassment, and holds tremendous value in the lives of women and gender minorities in Pakistan who most frequently experience this form of violence. UN Women has a longstanding partnership with DRF, and provided additional support after the outbreak of the COVID-19 pandemic, in order to respond to the specific challenges caused by the emergency situation. This included expanding the helpline's psychological services to vulnerable communities experiencing distress (women, children, religious and gender minorities) and rolling out social media awareness campaigns with the aim to sensitize masses on cyber harassment. Through this partnership, DRF was able to reach over 60,000 people on social media and provide direct support to over 1500 complainants through the helpline.

Introduction

This policy brief highlights prevalent issues related to cyber harassment in Pakistan that have increased significantly during the COVID-19 pandemic. It delineates the current trends of cyber harassment, particularly in light of the existing laws in Pakistan that are aimed at protecting women and girls from cyber-violence and harassment, as well as bringing perpetrators to justice. It makes recommendations for addressing existing gaps in the adequate dealing of online harassment by various institutions in Pakistan.

This policy brief has utilized data collected by DRF's cyber harassment helpline over six months during the coronavirus pandemic (March-August 2020) to posit policy changes and recommendations.

Scope of the problem

Online spaces do not exist in a vacuum, rather are shaped and constituted by larger structures in society, including economic, social and political. The prevalence of gender-based violence on the internet speaks to a continuum between online and offline spaces, as misogyny and negative cultural norms prevalent in physical spaces are projected in online spaces as well, making technology-related violence against women an emerging form of gender-based violence in Pakistan. This problem, along with other forms of violence such as domestic abuse, has been on the rise during the lockdowns and social distancing measures imposed as a precautionary public health measure to deal with COVID-19.[1]

Internet penetration in Pakistan has seen a significant increase in recent years, from 15.5% in 2017 to 31.19% in 2019. According to figures provided by the Pakistan Telecommunications Authority (PTA) in June 2019, there were 65.13 million Pakistanis accessing the internet through mobile and fixed broadband.[2] With the increase in internet access, the nexus of offline and online violence is manifesting more significantly online. The threat of online violence forces women to limit their online activity, often self-censoring themselves. Results of a survey "Measuring Pakistani Women's Experience of Online Violence" conducted by DRF in universities across Pakistan showed that 70% of the young women surveyed did not feel comfortable posting their pictures online for the fear of them getting misused, depicting the hostility they experience in online spaces.[3]

While the rise in online harassment is due to a complex set of factors, one reason is that as more and more people use online channels, they are bound to become susceptible to cybercrime and online harassment through such spaces. Information and Communication Technologies (ICTs) allow for anonymous communications and unprecedented access to private information, which provide an easy environment for exploitation by criminals.

1 Shehryar Warraich, "Locked down and vulnerable," The News on Sunday, June 28, 2020, https://www.thenews.com.pk/tns/detail/678152-locked-down-and-vulnerable.
2 "Pakistan Share Of The Internet Users, 2000-2018 - Knoema.Com". Knoema, 2020 https://knoema.com/atlas/Pakistan/Share-of-the-Internet-users.
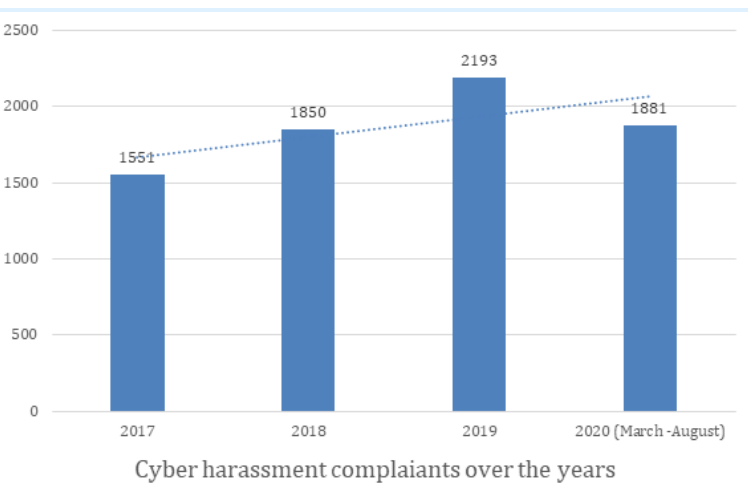3 Sanayah Malik, "Measuring Pakistani Women's Experience of Online Violence", Digital Rights Foundation, 2017, http://digitalrightsfoundation.pk/wp-content/uploads/2017/05/Hamara-Internet-Online-Harassment-Report.pdf.

Social media platforms and messaging applications, though recent innovations, often allow for the replication of existing structures of patriarchy through their inadequate community guidelines and reporting mechanisms. As a result, a steady increase in the number of complaints by women can be seen over the past three years - from 989 complaints received by the Cyber Harassment Helpline in 2017 to 1881 complaints in only six months of 2020.

TABLE 1
Total Complaints over the years

Source: DRF Cyber Harassment Helpline data

Online harassment during the pandemic

A continuous rise in cyber harassment complaints from 98 cases in January (before the lockdown) to 697 cases in July has been observed since the COVID-19 pandemic outbreak in Pakistan. The pandemic has not only deepened economic and social stresses, restricted movement and increased social isolation, it has also contributed to an exponential rise in gender-based violence. Due to government-mandated lockdowns and voluntary social distancing, many women were forced to stay in isolation at home with their abusers at a time when services to support survivors had been disrupted or made inaccessible.[4]

A gradual increase followed by a sudden decrease in the number of complaints received at the Cyber Harassment Helpline was observed during and after the months of lockdown (March-August):

TABLE 2
Monthly breakdown of complaints during Covid-19
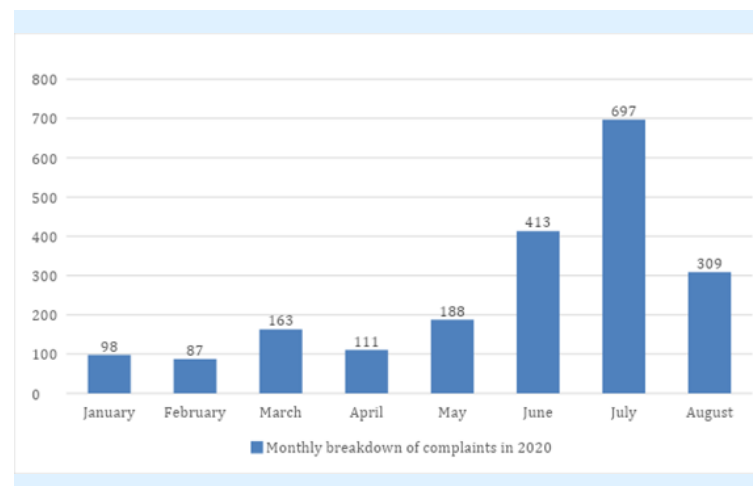
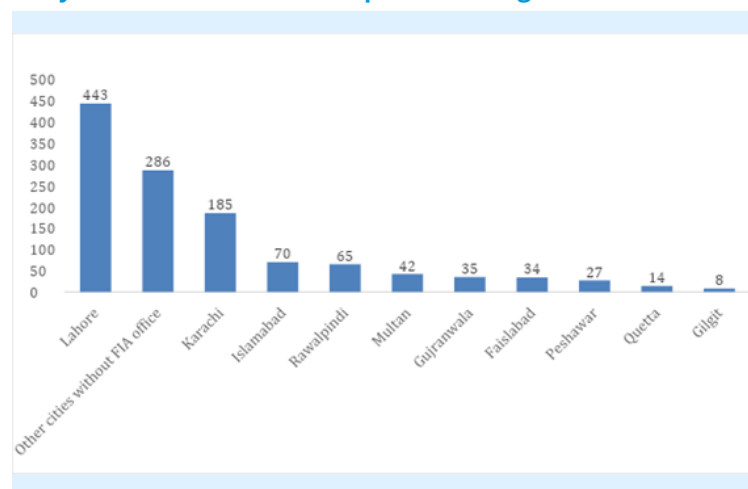Source: DRF Cyber Harassment Helpline data

The highest number of cases was received from Punjab with a number of cases coming from cities with no Federal Investigation Agency (FIA) cybercrime wing office. Given that physical presence is required to register a complaint, mobility issues meant that complainants from cities without FIA offices were unable to register their cases, highlighting the need for FIA to expand their operations into other cities and to have an online statement recording and identity verification process to register a case.

Provincial breakdown of complaints during Covid-19

Source: DRF Cyber Harassment Helpline data

TABLE 4
City-wise breakdown of complaints during Covid-19


Source: DRF Cyber Harassment Helpline data

The gender-disaggregated breakdown of the complaints received from March to August indicates that women are disproportionately affected by cyber harassment - 68% of the complaints (1269 out of 1881) were received from women, drawing attention to the existing gender disparity in our patriarchal society. Data also suggests that the majority of the perpetrators were men harassing and violating the rights of women, children, and non-binary individuals, forcing them to limit their participation online and consequently increasing the gender digital divide.

TABLE 3
Provincial breakdown of complaints during Covid-19

Source: DRF Cyber Harassment Helpline data
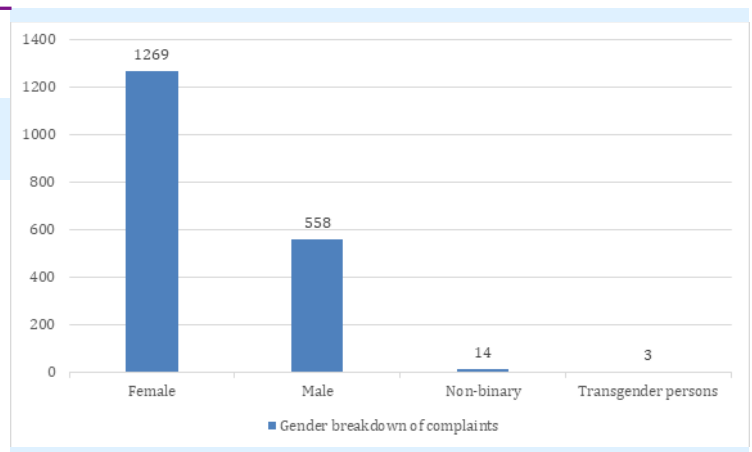
TABLE 6
Gender Breakdown of Perpetrators during COVID-19

		Gender of Perpetrator			
		Male	Female	Non-Binary	Other
Gender of victim	Female	686	33	2	6
	Male	169	14	0	4
	Transgender Female	2	0	0	0
	Transgender Male	1	0	0	0
	Non-binary	11	0	0	0
	Other	1	0	0	0

Source: DRF Cyber Harassment Helpline data

Perpetrator-victim patterns indicate that most forms of online violence and harassment were predominantly male-to-female, substantiating online violence as a form of GBV experienced disproportionately by women.

Amongst the different forms of cyber harassment, the gendered violence that is largely directed at women in the digital sphere includes:

- sexual harassment
- surveillance
- unauthorized use and dissemination of personal data
- manipulation of personal information, including images and videos.

These forms of violence act as a significant barrier to women's online expression and meaningful engagement on the internet. Sexualized violence in the form of non-consensual circulation of sexually explicit or doctored photos and videos of women on social media platforms has seen a spike in Pakistan.

Personal information is also weaponized to create fake profiles on social media, which leads to reputational and psychological harm. A majority of the cases that DRF's Cyber Harassment Helpline has received over the last few months during the COVID-19 pandemic pertained to non-consensual sharing of intimate images and videos, second only to engineering/ hacking cases.

TABLE 7
Cyber platform data on complaints during Covid-19
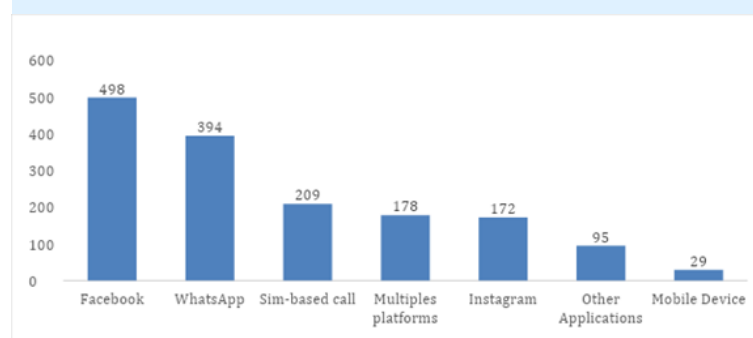
Source: DRF Cyber Harassment Helpline data

TABLE 8
Nature of complaints from March to August 2020
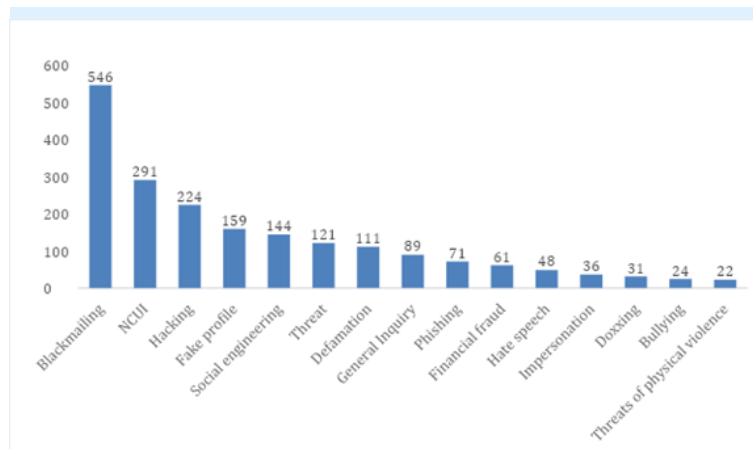
Source: DRF Cyber Harassment Helpline data

Impact of cyber harassment

Evidence has shown that online harassment can have serious and long term repercussions on the lives of those experiencing it. While originating in virtual spaces, online harassment can result in physical violence. These findings are corroborated by a similar study echoing the association between cyber violence and negative psychological, social, and physical health outcomes and its link with offline violence, disproportionately affecting women, girls, and sexual and gender minorities.[5]

There are several cases of women in Pakistan being killed for their online presence or simply owning a phone.[6] In 2016, a 16-year old girl was killed by her brother for using a mobile phone. Also in 2016, a group of men shot a mother and two daughters in Gilgit-Baltistan for sharing a video of them playing in the rain.[7] A mother of two was stoned to death in 2013 after a tribal court in DG Khan convicted her of possessing a mobile phone.[8] In 2012, a video of a private gathering was leaked showing four women dancing in the presence of three men, all of whom were killed by their families in the name of honor.[9] Victims and survivors are often punished in other ways as well; in one case reported in the media, a woman was expelled from her home in 2017 by her husband as a result of a fake Facebook profile.[10]

While online violence can result in physical violence from family members and the society at large, there are also cases in which mental health and societal pressures have resulted in suicides. In 2017, a female student in Sindh died of suicide after experiencing online blackmailing and harassment.[11] In 2020, a girl died of suicide after experiencing continuous threats and blackmailing to withdraw the cyber harassment complaint that she had filed with the law enforcement.[12]

DRF's research "Online Harassment: a Retrospective Review of Records" has demonstrated that online harassment can take a psychological toll that may manifest itself in the form of depression, anger, helplessness, chronic stress, generalized anxiety, mistrust, withdrawal, and insecurity.[13] A similar study delineates that the impact of online violence can manifest physically or can lead to mental health consequences including symptoms of post-traumatic stress disorder. Another research study posits that the victims of cyberbullying are 2.57 times more likely to attempt suicide,[14] increasing the rate of suicide by 11% worldwide.[15]

Online violence can have implications for women's ability to participate in online spaces and express themselves freely. A research study on surveillance of female journalists in Pakistan suggests that cyber violence can

5 Backe, E. L., Lilleston, P., & McCleary-Sills, J. (2018). Networked individuals, gendered violence: a literature review of Cyberviolence. Violence and gender, 5(3), 135-146.
6 Chris Summers, "Man stabs his 16-year-old sister to death in Pakistan 'honour killing' - because she was using a mobile phone," Daily Mail, April 28, 2016,
7 "Two Girls, Mother Killed Over Family Video," Dawn, June 25, 2014
8 "Woman Stoned to Death on Panchayat's Orders," Pakistan Today, July 10, 2013, http://www.pakistantoday.com.pk/2013/07/10/woman-stoned-to-death-on-panchayats-orders/; Emma Batha, "Special Report: The Punishment was Death by Stoning. The Crime? Having a Mobile Phone," The Independent, September 29, 2013,
9 Naveed Siddiqui, "Kohistan video case: Girls declared alive by SC had actually been killed, says Bari", Dawn, October 21, 2016
10 "Husband 'kicks out' wife from house over 'fake' Facebook ID", The Express Tribune, March 27, 2017
11 Ali Hasan, " Suspect arrested in 'suicide' case of Sindh University student a 'repeat offender': police", Dawn, January 6, 2017
12 The News. 2020. "Girl Commits Suicide After Threats Over Harassment Case", 2020.
13 Jannat Fazal, "Online harassment: a retrospective review of records", DRF, 2017

affect the online participation of women journalists, often leading them to either withdraw from these spaces or self-censor themselves.[17] These findings are corroborated by a similar study echoing the association between cyber violence including its negative psychological, social, and physical health outcomes and its link with offline violence, that disproportionately affects women, girls, and sexual and gender minorities.[18]

Recommendations for policy makers and law enforcement

Based on the helpline data and other evidence substantiating an exponential increase in cyber harassment cases, the following recommendations have been made for the government, policy makers and law enforcement officials:

Online complaint mechanisms

There is a need to streamline online complaint mechanisms to ensure that complaints can be lodged online and case updates can be obtained virtually, ensuring social distancing and minimizing physical contact in the reporting and investigation processes. Online complaints should be addressed immediately, and the required resources should be allocated for speedy response. An online case management

system should be developed to ensure efficient recording and follow up (mentioned below).

Case management systems

Complainants should be able to track and receive updates periodically on the status of their case through an online system. Digital copies of the case file and evidence should be stored on a secure server to ensure reliable duplicates in case the original case file is lost or tampered with.

Building capacity of stakeholders

It is important to include updated cybercrime laws, internet governance, digital forensics and digital rights laws and policies into the training curriculum of judges and law enforcement officials along with international best practices.

Gender sensitization

Training to build the understanding of gender for law enforcement officials including prosecutors, court staff and judges is critical to ensure that they handle cases relating to online violence with effectiveness, sensitivity and an understanding of the gendered risks that women and gender minorities face online. Gender sensitization training should be done on a regular basis to ensure that it leads to meaningful change of attitudes.

14 Lewis, R., Rowe, M., & Wiper, C. (2017). Online abuse of feminists as an emerging form of violence against women and girls. British journal of criminology, 57(6), 1462–1481.
15 John, A., Glendenning, A. C., Marchant, A., Montgomery, P., Stewart, A., Wood, S., ... & Hawton, K. (2018). Self-harm, suicidal behaviours, and cyberbullying in children and young people: Systematic review. Journal of medical internet research, 20(4), e129.
16 Rafay, Muhammad. 2020. "Cyberbullying | The Express Tribune". The Express Tribune.
17 Luavat Zahid, and Shmyla Khan. 2020. Digital Rights Foundation. https://digitalrightsfoundation.pk/wp-content/uploads/2017/02/Surveillance-of-Female-Journalists-in-Pakistan-1.pdf.
18 Backe, E. L., Lilleston, P., & McCleary-Sills, J. (2018). Networked individuals, gendered violence: a literature review of Cyberviolence. Violence and gender, 5(3), 135–146.

Mental health services

Given that cases of online violence involve trauma and mental health issues, significant investment should be made to ensure that there are several mental health counsellors available at every branch of the cybercrime wing. Furthermore, Investigation Officers (IOs)s should refer complainants to the mental health counsellor in cases where long-term blackmailing and harassment has taken place to ensure the well-being of the survivors.

Cross jurisdictional cases

A mechanism needs to be developed to deal with cases in foreign jurisdictions, i.e. cases where either the accused or the complainant is located outside Pakistan. Pakistan is not a signatory to the Budapest Convention on Cybercrime, which sets up a regime for international cooperation on cybercrime. Any mechanism for international cooperation should be grounded in principles of human rights, due process and data protection.

Timely response

A Rapid Response Cell should be established within the cybercrime wing which can respond to urgent cases where leaked information can put personal safety at risk or cause immediate reputational harm. The rapid response cell should be operational 24/7 and should function in addition to the regular operations of the cybercrime wings. Cases marked as urgent should be expedited and dealt with on a priority basis.

Greater technical expertise for digital forensics and investigation

Several complaints to the cybercrime wing experience a substantial investigative delay or are dropped altogether due insufficient technical abilities of officers and technologies available to the FIA. Greater investment in technical capacity building of FIA officials through sponsored courses and regular training should be done to ensure that IOs and technical staff are abreast with the latest international practices.

Data privacy and confidentiality of evidence

There should be clear, accessible and publicly available Standard Operating Procedures (SOPs) on privacy, confidentiality, and protection of evidentiary data and identity of the complainants at FIA in line with Rule 9 of the 'Prevention of Electronic Crimes Act (PECA) Rules' to ensure that complainants feel comfortable bringing forth cases under section 21 and 22 of PECA.

Personal data protection law

A data protection legislation, in line with international best practices, should be promulgated to protect the fundamental right to privacy of citizens as per Article 14 of the Constitution.

Performance review of Law Enforcement Officers

In order to ensure accountability of the cybercrime wings, complainants/ survivors should be able to register concerns regarding misconduct by their assigned officers to a presiding officer for each regional zone, which should automatically trigger independent and transparent inquiry. Insensitive attitudes towards survivors can discourage them from pursuing cases and have an impact on public confidence in law enforcement bodies.

Cooperation with police

Channels of communication should be developed between police stations and cybercrime stations to ensure that cases can be easily transferred and there is clarity as to where a particular case should be registered, investigated and prosecuted.

Civil society participation

Inclusive collaboration with civil society organizations through public-private partnerships should be ensured so that public institutions work collaboratively with civil society and academia to complement each other's work. Potential collaborations for awareness-raising campaigns on digital safety during COVID-19 are recommended.

Facilitating helplines and referral networks

The PTA should facilitate and develop mechanisms to ensure uninterrupted remote operations of state and private telephonic helplines that support survivors of violence and harassment in order to cater to situation and related lockdown. A consolidated directory of services relating to GBV should also be maintained and regularly updated to ensure resources can be pooled and used effectively.[19]

CREDITS

This brief was written by the Cyber Harassment Helpline Programme Manager Jannat Fazal of Digital Rights Foundation, reviewed by Shmyla Khan and Minerva Tahir and designed by Maryam Saeed from Digital Rights Foundation.

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