Mexico, Argentina, Brazil and Colombia: Cross-country Study on Violence against Women and Information Communication Technologies

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This article presents and compares the findings of four national reports from Mexico, Brazil, Argentina and Colombia undertaken by the Association for Progressive Communications Women's Networking Support Programme (APC WNSP) as part of the project "Strengthening women's strategic use of ICTs to combat violence against women and girls". Despite the differences between and disparities among countries in the Latin American region, and that a great deal needs to be done before women achieve full digital participation and ownership, it is possible to assess a number of issues from a common perspective, in order to more clearly understand the problems faced, identify the challenges that need to be tackled, and find solutions that allow greater freedom for women and girls in Latin America.

BACKGROUND

Why is it important to talk about ICTs and violence against women?

The intersection of these two fields could present a new opportunity to give greater visibility to the threats faced by women and girls, to empower them to assert their rights in situations of violence, exclusion and discrimination, and to promote public policies that guarantee their well-being by effectively combating the different forms of violence used against women, girls and any other vulnerable members of society.

These goals are not new. For many decades, women's movements and organisations have been working hard to uphold the rights of women and girls in a society that seems to have failed to evolve in these areas. The opportunity offered by new information and communications technologies (ICTs) lies in the ways these tools can contribute both to highlighting violations of these rights and to more effectively enforcing them.

Studies addressing the intersection between violence against women and ICTs are very recent and still at an exploratory stage. This is a subject that needs to be analysed through different facets to help women and girls better understand how to recognise and assert their rights.

About the project

The APC WNSP project "Strengthening women's strategic use of ICTs to combat violence against women and girls" was carried out with the support of the Dutch government's MDG3 Fund. The project aims to help women participants negotiate the fraught terrain of ICTs where freedoms go hand in hand with growing privacy and security concerns. In order for ICT use to contribute to combating violence against women and girls, the project's actions

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are targeted at building new skills and knowledge that women can use to defend themselves and their communities.

During the first phase of the project, case studies were commissioned to identify intersections between ICT use and violence against women in twelve countries spread across three regions: Asia (Malaysia, the Philippines, Cambodia and Pakistan); Africa (Democratic Republic of Congo, Republic of Congo, South Africa and Uganda); and Latin America (Mexico, Colombia, Brazil and Argentina).

Getting down to work

Aim of the APC WNSP project: Views from Argentina, Brazil, Colombia and Mexico

Generally speaking, in the Latin American countries studied, there are no laws or public policies that explicitly link the issue of violence against women and communications and/or ICTs. The intersection between these two areas of human rights is effectively non-existent, and there are a great many barriers (both institutional and cultural) that need to be overcome in order for ICTs to be successfully used to decrease violence against women and girls. Nevertheless, thanks to the tireless work of many different organisations and the women's movement, there have been certain advances and achievements made, which should be highlighted to continue moving towards real empowerment of Latin American women. There are also areas of ICT policy in which different countries in the region have shown some progress, as well as gaps that need to be identified so that they can be remedied as soon as possible.

Regional similarities and disparities

1- Scarcity of official statistics
The first major point to emerge from a cross-analysis of the national reports from Mexico, Brazil, Argentina and Colombia is the scarcity of gender-disaggregated statistics available on government websites in the region. For the most part, the national case studies rely instead on data gathered from the media, private survey and polling firms and/or research reports.

In the case of Argentina, the National Statistics and Census Institute (INDEC), in addition to being a discredited institution, offers no statistics on violence against women and no gender-disaggregated data on ICT use. The case study on Colombia used data on violence against women and girls provided by the Legal Medicine and Forensic Sciences Institute (INMLCF), a branch of the Attorney General's Office. With regard to ICT use, the only gender-disaggregated statistics available in Colombia address the number of internet users, and were supplied by the National Statistics Department (DANE). In Brazil, the Brazilian Institute of Geography and Statistics (IGBE), the official state agency in charge of population surveys, offers general statistics on population, gender ratios, literacy, average life expectancy and GDP per capita. The National Movement for Human Rights provided statistics on domestic violence-related homicides (70% of all murder victims in Brazil are women). Data on ICT use were gathered from studies and surveys conducted by universities, the Brazilian Internet Steering Committee, and private sources. The report on Mexico presents official statistics on violence against women obtained through the national household surveys conducted by the National Institute of Statistics and Geography (INEGI).

This consistent scarcity of official data points to the need to develop a regional view, given the almost uniform similarities observed across Latin America in terms of both the advances made and the most pressing challenges and problems faced. This in turn highlights the importance of up-to-date information channels. One example is the Observatorio de la Violencia de Género (Gender Violence Watch), launched by the Spanish non-governmental women's organisation Fundación Mujeres in 2005. Its website includes a section devoted to Latin America,[3] which features news, opinions, reports and a database of projects and

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[3] www.observatorioviolencia.org/categorias.php?id=9

concrete experiences involving good practices in different areas of gender violence intervention (awareness raising, prevention, detection and recovery).

2- Inadequate legislation
Throughout the region, legislation addressing violence against women and the implementation of this legislation, whether through legal channels or by security forces (primarily police forces) represent the most serious challenges faced. The existence of laws does not guarantee that they will be effectively enforced by the corresponding social actors. This is common factor shared by the countries in this region.

There is also a need for greater awareness and discussion among stakeholders on specific legal issues that are crucial for women who are facing or who are at risk of facing situations of violence. These include, for example, freedom of expression versus the need to protect women and girls from paedophiles and pornography, and the right to privacy in relation to the unauthorised use of women's images. These issues tend to be left in the hands of legal experts and are not discussed in terms of the protection of women's and girls rights.

In Colombia, the first legislation dealing with violence against women was Law 294 of 1996 (as an addendum to Article 42 of the National Constitution), establishing preventive and punitive measures against domestic violence. In 2000, however, jurisdiction over domestic violence was transferred through Law 575 from judicial offices to *Comisarías de Familia* (police stations that deal specifically with family matters, of which there are only a small number in the country) and Police Inspectorates, which have no judicial powers. In 2004, an even greater step backwards was taken with Law 882 – better known as the "Black Eye Law" – which excluded sexual violence from crimes committed between spouses and left domestic violence as an individual or "private" problem between couples, in which the state has no right to intervene. In more recent years, however, three new legal provisions have been adopted which have improved the situation for women: Law 1098 of 2006, which obliges all municipal governments to establish and strengthen *Comisarías de Familia*; Law 1142 of 2007, which excludes family violence from crimes that require charges to be pressed by one of the parties in order to proceed with prosecution; and Law 1257 of 2008, which expands the definition of violence against women to include physical, sexual, psychological, economic and material assets-related aspects. That same year, the Colombian Supreme Court recognised, through decision T-025, the differential and disproportionate risks and impacts faced by women as a result of the ongoing armed conflict.

In Argentina, a 1994 reform of the constitution opened up new possibilities in the field of women's rights by proposing the hierarchisation of international human rights agreements and conventions with the country's body of legislation. The international instruments ratified by Argentina include the Universal Declaration of Human Rights (1948); the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949); the United Nations Convention on the Elimination of all Forms of Violence against Women (CEDAW), adopted by the UN General Assembly (1993); the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, better known as the Convention of Belém do Pará (1994); the CEDAW Optional Protocol (1999); and the United Nations Convention against Transnational Organised Crime, known as the Palermo Convention (2000). In terms of national legislation, Law 24.417 on Protection against Family Violence was adopted in 1994. In 2009, the Argentine Congress adopted Law 26.485 on "integral protection to prevent and eradicate violence against women in all areas where their interpersonal relations take place"; the law has not been implemented, however, because the corresponding regulations have yet to be drawn up.

In Brazil, following the signing of the Convention of Belém do Pará in 1994 and the ratification of CEDAW and the CEDAW Optional Protocol in 2006, the so-called Maria da Penha Law was adopted to promote the right of women and their dependents to live without violence.

In Mexico, the Law on Women's Access to a Life Free of Violence entered into force on 1 February 2007. Its importance lies in the fact that it establishes legal and administrative guidelines for the three levels of state power and government institutions – federal, state and municipal – to guarantee the safety and physical integrity of victims of violence. The law came after decades of struggle by feminist organisations who succeeded in forcing issues like violence against women and rape onto the public agenda. In 1984, for example, they achieved the reform of Article 265 of the Penal Code, as a result of which accused rapists could no longer be released on bond because of an increase in the minimum sentence from six to eight years in prison. In 1996, the Family Violence Assistance and Prevention Law was adopted in the Federal District of Mexico City. Its implementation included the provision of resources and support for the establishment of sixteen Family Violence Assistance and Prevention Units in the sixteen *delegaciones* or boroughs into which the city is divided. In 2007, UNIFEM and INEGI published "Delitos contra las mujeres" (Crimes Against Women), which analyses the content of the 121 crimes against women encompassed in the Penal Codes of the 31 states, the Penal Code of the Federal District, the Federal Penal Code and 34 federal laws.

3- ICT policies lacking in a gender perspective
Colombia, Brazil and more recently, Argentina, have adopted state policies (known as Connectivity Agendas, Digital Agendas, etc.) that establish guidelines regarding new information and communications technologies and telecommunications. In Mexico, the Special Committee for the Promotion of Digital Access, created in late 2006 in the Chamber of Deputies, has been working on the formulation of a draft bill, in consultation with academic institutions and civil society organisations, to promote the use of new technologies. The adoption of the resulting bill, however, is currently stalled in the Mexican Senate.

In terms of national policies aimed at promoting ICT access, use and appropriation, there is not a single country in Latin America that has adopted a policy with a clear gender perspective, nor one that considers ways of combating violence against women, including symbolic violence.

In Colombia, among the numerous ICT programmes and projects adopted by the government – the National ICT Plan supported by the 2006-2010 National Development Plan, the Ministry of Communications Social Telecommunications Programme, the Computers for Education programme, the Connectivity Agenda, the Online Government project, and so on – not one has incorporated an explicit gender approach, despite the fact that all of them refer to inclusion, equity and equality.

4- Tools for violence
There are many ways in which ICTs can be used for positive purposes, as will be discussed in greater depth below. But they also have numerous negative uses that need to be identified, so that they can be prevented and reported. These include:

- The use of mobile phones and the internet to contact and "promote" girls and women involved in sex tourism and prostitution in general. These technologies are used to specify preferences, conditions, dates and times, etc., with women and girls being bought and sold like merchandise.

- ICTs are also used to contact intermediaries or "pimps" who use social networking sites (for example, Facebook) to post and sometimes sell photographs or to establish conditions, times and places, etc.

- With regard to human trafficking, women and girls are usually lured with false offers made directly or through communications tools like the internet. These offers usually promise the opportunity to work or study and work at the same time for high salaries. International

human trafficking is often carried out under the guise of establishing romantic personal relationships over the internet.

- Mobile phones are used by violent men as a means of controlling or monitoring their victims.

- Mobile phones are also used to advertise and sell erotic or pornographic material by short message service (SMS) or instant messaging, which means that these products are made available to anyone who uses a mobile phone, regardless of their age.

- Adults pretending to be teenagers use email, instant messaging ("chatting") and social networking sites to contact and lure vulnerable minors, whose internet use is not monitored by responsible adults. Once they have established online contact with adolescent victims, they will arrange a meeting at some specific place and time, which may result in sexual abuse, sometimes involving other adults as well.

- In the media in general, and especially in advertising on television and in magazines, women are commodified as sex objects. Advertisers use symbolic violence to sell their products, through patriarchal constructs that distort women's and girls' identity and self-esteem, particularly those who are still growing and developing their identities. Women are bombarded with images of an unrealistic, unattainable "ideal" designed solely for male gratification, which can lead to frustration, depression and anxiety, disorders that are becoming increasingly prevalent. The result is greater profits for the cosmetics and fashion industries, as well as for the fields of medicine, psychology and pharmaceuticals.

This highlights the need to generate new media that will help us deconstruct what we have learned from archaic constructs, and build new channels of information that respond to the needs of individual women and their particular environments. In Mexico, for example, 67% of women over the age of fifteen have experienced some form of violence, whether in the family, school or work setting. In the year 2005, the deaths of 2,159 women as a result of domestic violence were recorded, a figure that is significantly higher than the number of deaths related to organised crime, which totalled 1,776 nationwide that same year.

The idea is not merely to take advantage of technological "hypercommunication", multimedia tools and the ability to actively create content. We also need to recognise and strengthen the empowering ties generated by networks of women's organisations and other groups working to break down the walls of the cells in which almost 70% of the world's people are currently imprisoned, as victims of loneliness and depression, the loss of ideals, covert and blatant discrimination, and the lack of opportunities to live up to the false expectations created by the market.

It is also essential to take into account the limited access to ICTs for many women in Latin America. This gender digital divide is not exclusively the result of economic barriers, since there are many places where both women and men can use the internet or telephone lines for free or at very low cost (for example, in telecentres, infocentres, etc.). There are other reasons for which women remain distanced from new technologies. Depending on cultural factors and whether they live in urban or rural areas, these reasons can vary considerably: lack of awareness of how ICTs can affect their lives; lack of time; lack of the technical knowledge to operate a computer; fear of ridicule or social censure; lack of access to some types of connectivity; content that does not respond to their interests and needs; and so on.

5- Tools for building
All four countries studied shared in common the use of ICTs for the promotion and dissemination of campaigns, mobilisations, and services for victims of violence, whether provided by specific institutions in person or by way of toll-free telephone help lines.

In Mexico, the most prevalent of these is the use of specialised telephone lines to provide information on the services provided by civil society organisations or government agencies.

There are three nationwide telephone help lines: the Telephone Assistance Service operated by FEVIM; the Life Without Violence line operated by INMUJERES; and the domestic violence help line accessed by dialling the emergency number operated by the Secretariat of Public Security, 066. All three provide emergency assistance for cases of physical, psychological and sexual violence, abuse of minors, and other forms of violence against women and girls.

In Brazil, there are more services available online, particularly through the website of the Special Secretariat for Women's Policies, which has created a specialised assistance network. There is also a free, nationwide telephone line that women and girls can call to report violence or seek help, called LIGUE 180 ("DIAL 180").

In the four countries analysed, national and municipal government services operate specialised telephone help lines for victims of violence. These have grown more prevalent in recent years, and primarily provide information on the services offered by civil society organisations or government agencies, although some offer immediate assistance to victims.

In other countries in region, the internet is used to publish the names and photographs of men who have been prosecuted and sentenced for gender violence (Peru), while internet-based radio is used to spread awareness of women's rights (Costa Rica).

Throughout the region, websites are also used to provide information on services offered to victims of violence (such as their location and hours of operation) as well as to promote campaigns and mobilisations. However, use of the internet is primarily static, with no interaction that moves beyond the provision of information to include, for example, the possibility of reporting acts of violence. There are no links among the different agencies and institutions that deal with violence against women, either. This type of interconnection could be very simple to achieve with ICTs, if there were the political will to do it, and would significantly contribute to assisting and protecting victims of violence.

Social networking sites (such as Twitter and Facebook) have also been widely used for campaigns on violence against women. The Brazilian case study reports that these new Web 2.0 tools have been used to promote participation in demonstrations and marches, disseminate materials, and gather signatures on petitions. As for the other countries, there is still not enough information available in this regard to be able to make comparisons.

One of the worst traumas faced by victims of violence against women is the "re-victimisation" they must endure when they decide to press charges and are then forced to recount what has happened to them over and over again. This essentially means reliving the event and repeatedly enduring the psychological and emotional suffering it caused, and is one of the main reasons why women decide to drop the charges against their aggressors. This highlights the vital importance of establishing networks, set up and operated by trained specialists, so that once victims of violence enter the legal system after filing a police report, they are spared from repeating the same story time and time again. It is also crucial that properly trained professionals be available at every step along the way, in sufficient numbers to avoid the usual long delays.

It is also essential to take into account the fundamental importance of privacy, not only because all individuals have the right to privacy over the details of their lives, but also to protect women from aggressors who persistently stalk and threaten them, and also frequently harass the people who attempt to rescue these women from the isolation imposed on them by those same aggressors.

Final considerations

The tireless work of Latin American civil society organisations in the struggle against violence against women and the use of all possible means to raise awareness of women's rights, including the gradual (and sometimes still incipient) incorporation of ICTs, is well known and widely recognised. Nevertheless, it is important to understand that violence against women is a public issue, not a private one, which is why the public authorities in the countries of the region must intervene, by adopting the necessary measures and legislation to stop the suffering and death of thousands of women. This intervention should make use of all of the means and channels available. The events that take place daily in the countries of the region show us that violence against women, its mechanisms and its repercussions have become increasingly sophisticated; but the same cannot be said of the laws, the implementation of these laws, and other strategies aimed at combating violence against women. As has been observed in other areas, ICTs do not offer a magic solution for the problem of violence against women, but they can contribute to preventing and denouncing acts of violence.

Bringing an end to violence against women is not an easy task; despite the progress made, we as women know that this struggle is far from over. That is why it is crucial to continue to promote open discussion to achieve greater public visibility and awareness of this pressing problem throughout the region.

It is essential to pursue new means of communication to help us deconstruct our learned helplessness and the archaic concepts we have assimilated without question, and to design and implement new channels of information that respond to the needs of each individual woman, the woman that each one of us is and has learned to be as a result of the environment that surrounds her.

<u>References</u>

CLADEM-Brasil, *Violencia contra las mujeres y tecnologías de información y comunicación: informe nacional de Brasil, 2009* http://www.genderit.org/en/index.shtml?w=r&x=96315

Davidziuk, A. *Apropiación de las tecnologías móviles desde un espejo lejano: infiltración barroca, creolización y canibalismo: una reseña*, The Journal of Community Informatics 3, 3 (2007 http://www.ci-journal.net/index.php/ciej/article/view/455/344

DAW-UN, *Convención sobre la eliminación de todas las formas de discriminación contra la mujer, 2009* http://www.un.org/womenwatch/daw/cedaw/text/sconvention.htm

eLAC, *Capítulo VI: Instrumentos de política y estrategias*, Compromiso de San Salvador, San Salvador, 2008 http://www.elac2007.org.sv/docs/compromisodesansalvador-8feb2008.pdf

CRIS Campaign, *Manual para la evaluación de los derechos a la comunicación, 2005* http://www.crisinfo.org/pdf/ggpes.pdf

MacBride, S. *Un solo mundo, voces múltiples. Comunicación e información en nuestro tiempo*, Fondo de Cultura Económica, México, 1993 http://unesdoc.unesco.org/images/0004/000400/040066sb.pdf

Martínez Medina, M. C. *Violencia contra las mujeres y tecnologías de información y comunicación: informe nacional de México*, 2009 http://www.genderit.org/en/index.shtml?w=r&x=96337

Peralta, C. *Violencia contra las mujeres y las tecnologías de información y comunicación: informe nacional de Argentina ¿Un poder de vida o un poder de muerte?*, 2009
http://www.genderit.org/en/index.shtml?w=r&x=96314

Niño, L. & Núñez, L. *Violencia contra las mujeres y tecnologías de información y comunicación: informe nacional de Colombia ¿Superando el patriarcado?*, 2009
http://www.genderit.org/en/index.shtml?w=r&x=96306

Sabanes Plou, D. *Mujeres en clave digital: de las redes a la apropiación de la tecnología y del ciberespacio, 2008
h*ttp://www.ciudaddemujeres.com/articulos/IMG/pdf/9.1_mujeres_en_clave_digital.pdf

Torres Falcón, M. *El concepto de igualdad y los derechos humanos. Un enfoque de género, 2009*
http://zapateando2.wordpress.com/2009/02/06/el-concepto-de-igualdad-y-los-derechos-humanos-un-enfoque-de-genero/