

A CASE STUDY FROM COLOMBIA

A RELATIONSHIP ENDS BUT THE VIOLENCE CONTINUES

Keywords: domestic violence; accessing private data; taking photos without consent; sharing photos without consent; faking personal data; repeated harassment; threats of violence; physical harm; emotional harm; sexual harm; harm to reputation; mobility limited; censorship; invasion of privacy; loss of identity; mobile phone; Facebook; email; reported to law enforcement; arrest made; leaving platform; survivor's age is 18-30

THE STORY AND THE VIOLENCE

Two years ago, 23-year-old Alejandra met Enrique towards the end of her higher education. They fell in love and began dating, with the promise of marriage ahead. However, as time progressed, Enrique became more possessive of Alejandra. He began to prevent her from using any form of digital technology and was physically and sexually violent towards her. Alejandra went from being a happy, sociable woman with lots of friends to becoming a lonely individual, who was isolated from her friends and family. Because Enrique worked in the technology sector, she began to be afraid of using the internet or her mobile phone. She was also afraid to leave the house to go to work. After suffering the abuse for a long time, Alejandra ended the relationship. It had been a difficult period, but at least, Alejandra assumed, the violence would now end.

She was wrong. Three months after the relationship ended, Alejandra received an email from Enrique, threatening her that things would "become worse" if she did not go back to him. Soon after, he created a fake Facebook profile in her name and began to post nude photographs of her online – pictures he had taken covertly and without her consent. He sent her violent emails and made threatening phone calls. He also managed to hack her email account; she had never given him her password. During this time, Alejandra felt a deep anxiety and was particularly afraid that her family or friends would see the nude photographs. In fact, in order to avoid seeing them herself, she went entirely offline.

As a result of Enrique's persistent violence, Alejandra felt fearful and insecure, but also guilty and ashamed about the damage to her reputation. She experienced several instabilities including nightmares, nausea, muscular tension, loss of memory, rage, palpitations, shortness of breath, and extreme distress. Wanting to avoid all social situations, Alejandra locked herself into her house, lacking the confidence to face other people.

SEEKING JUSTICE

After listening to advice from her mother, Alejandra decided to pursue legal justice. She first approached the Women's Programme of the District Mayor's Office (Programa Mujer, Alcaldía Distrital), where she was put in touch with two lawyers: one was an expert on digital violence and the other provided free legal advice on women's rights issues. After *being made aware that existing laws could protect her*, Alejandra approached the anti-kidnapping and anti-extortion group of the Colombian National Police (known by the Spanish acronym GAULA), because *the Prosecutor General's Office did not take her previous reports of violence seriously*. Afraid of the culture of impunity whereby perpetrators of technology-related violence against women tend to be seen as innocent, Alejandra *told the police authorities of her father's position as a military officer*. Of this decision she says, "That's how things are here. As I wanted justice, I had to say who my father was, and that's when the police started to do their job."

A RELATIONSHIP ENDS BUT THE VIOLENCE CONTINUES

Enrique was arrested and held for two days, after which he was made to sign a commitment that he would stay away from Alejandra and not exercise any violence towards her, as outlined by Law 1257 of 2008. To date he has obeyed these orders. According to Alejandra *the existence of Law 1257 of 2008 (for the empowerment of women) was critical to her attaining justice*. She says, “By mentioning the rights of women and the violence and harm that is done to us, it is useful even though it does not specifically refer to ICTs. Because gender violence occurs everywhere, including cyberspace.”

FINDING AGENCY

When Alejandra first began to face technology-related violence from Enrique, she became mistrustful of the medium itself. She did not change her email password because she believed that since Enrique worked in the technology industry, he would be able to hack into her account in any case. As a result *she*

completely stopped using ICTs for a period of time, and only began using the internet again after filing a case with her lawyers. Crucial to Alejandra's agency was the knowledge imparted to her by the lawyers, which helped her understand that the law would be on her side. She is also aware that her privilege was essential to her ability to access justice, since it was likely that only the mention of her father led to swift police action.

Today Alejandra is well informed and *empowered by her understanding of how the law can protect her*. She also offers recommendations to various key players in the future. From justice authorities, she asks that they create a simple and speedy judicial process for women victims of violence; from intermediaries, she asks that they be more sensitive to violence against women and respond quickly to requests; and finally, from mothers she asks that they improve their daughters' education and provide them with love and understanding.



Ministry of Foreign Affairs