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Privacy International Network

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Table of Contents

Challenging Patriarchy Through the Lens of Privacy	4
Alexandrine Pirlot de Corbion, Privacy International	

Antivigilancia Newsletter	6
Coding Rights, Brazil	

Privacy Zines and Menstrual App Events	8
Derechos Digitales, Chile	

Research on Privacy, Surveillance, and Gender	10
Digital Rights Foundation, Pakistan	

Mapping Tech-Related Violence Against Women	12
Foundation for Media Alternatives, Philippines	

Surveillance and Digital Violence in Colombia	14
Fundación Karisma, Colombia	

The Right to Privacy for Human Rights Defenders in an Environment of Surveillance	16
National Coalition of Human Rights Defenders - Kenya, Kenya	

Challenging Patriarchy Through the Lens of Privacy

Alexandrine Pirlot de Corbion, Privacy International

Many of the challenges at the intersection of women's rights and technology as it relates to privacy and surveillance, come down to control. Such challenges have come sharply into focus as societies trend toward surveillance by default and foster data exploitative ecosystem.

And whilst control, in the context of privacy, should be about one's control of their data, the limitations that are set, and the boundaries one erects between one's self and others, unfortunately the dominant narrative has been about something else. The focus has been about the powerful, the State, industry, and dominant males, being given legitimacy within patriarchal societies to exercise their control over people, over women, in the name of security, economic prosperity, and self-empowerment. Feminists argue that surveillance itself is tool of patriarchy which controls and limits the exercise of fundamental rights and freedoms online and offline.

Whilst national and legal frameworks uphold equal rights and their enjoyment without discrimination, in practice, the adoption of national legislation, as well as sectoral policies and laws have resulted in the development of a differential treatment of women and girls, and men and boys. While data and technology are presented as being 'gender-neutral', the way they are used is not, and so existing inequalities are maintained or in some circumstances heightened.

Changes in policies and the adoption of new practices by the State but also industry, can result in changes in gender roles and power structures for the better through improved empowerment and access to equal opportunities, but also for the worse.

In this special briefing for International Women's Day 2017, we explore through the work of the Privacy International Network some areas of concern being addressed in relation to privacy, surveillance, women's rights, and gender. **Coding Rights** demonstrates the important of generating and disseminating gendered content on issues of surveillance in Latin America as a means of inciting informed action. In Chile, **Derechos Digitales** explored the booming market of mobile applications related to sexual and reproductive health and with a focus on menstrual apps. **Digital Rights Foundation** undertook an important process of understanding the perception female journalists have of privacy, and some of the risks they faced in undertaking their work. In the Philippines, the **Foundation for Media Alternatives** worked in collaboration with the Association for Progressive Communications to map out violence against women online, specifically on social media. **Fundación Karisma** presents concerns in relation to both of those topics, the work of female journalists

and the need for ensuring secure access to the internet for women so it is truly a space that enables the enjoyment of their fundamental rights, and not a tool for abuse. In Kenya, the **National Coalition of Human Rights Defenders** (NCHRD-K) remains highly concerned by the threats to women human rights defenders in a context of arbitrary surveillance, but also physical abuse.

These cases demonstrate the need to understand the implications of policies and practices that interfere with the right to privacy through the lens of gender, and consider socially constructed gender roles and socio-economic and political structures which rigidly hinder challenging these. In addition, interferences with women's right to privacy are multifaceted and require a multi-pronged approach targeting various stakeholders. States must move beyond the patriarchal alpha male approach of protecting their citizens with little regard to gender issues and impact their policies have into silencing and marginalising a large percentage of their population, women. We have also seen the role of industry who have tapped into a profit generating market of providing sexual and reproductive support to women, as well as other service providers, and yet who have failed to consider a gendered-approach to their business model that not only respects but promotes the right to privacy of women in their enjoyment of their fundamental right to freedom of expression. And finally, the implications of the patriarchal society we live in which continues to try to silence women and hinder their contributions to our societies through censorship, shaming, and other deplorable tactics.

Women and men need and should enjoy the same opportunities, agency and power, and have access to the same choices to live in dignity, manage their autonomy and establish their identity, both offline and online, as a core principles to exercise their fundamental rights. And the key word here is choice.

Antivigilancia Newsletter

Coding Rights, Brazil

Antivigilancia Newsletter is published by Coding Rights every three months and highlights Latin American regional views about emerging issues in gender and privacy. The newsletter is produced in Spanish and Portuguese and the Editorial Council is mostly composed of women from the region.

RIGHT: Social media cards introducing Issue 14 of the Antivigilancia Newsletter, which was published in September 2016.



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For people who, because of their gender, race or sexuality, do not fit into normative standards and are generally the main targets of online violence, the right to anonymity and the protection of their data is a key issue.

This is due to the fact that they exercise their freedom of expression in contexts in which the State or society are hostile, especially when it comes to issues related to sexual and reproductive rights, such as abortion or other causes of political dissent.

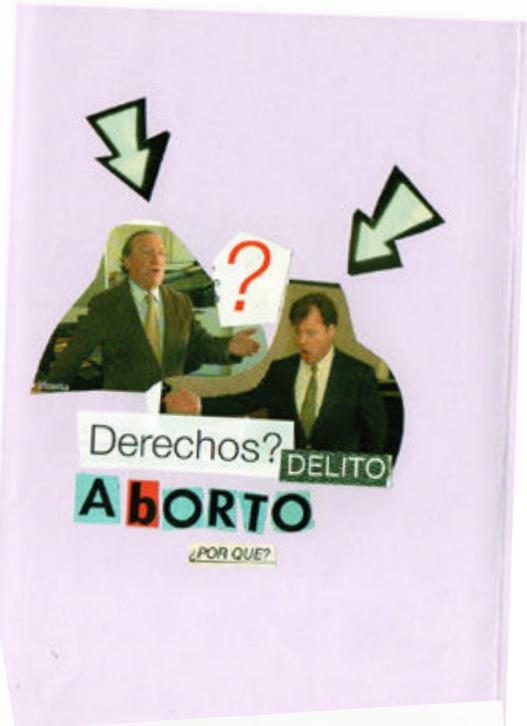
”

Editorial excerpt from Issue 14 of *Antivigilancia* "Online violence, privacy and anonymity" by Joana Varon, Raquel Rennó and Natasha Felizi

Privacy Zines and Menstrual App Events

Derechos Digitales, Chile

Derechos Digitales created a series of zines, some of which are showcased below. The zines were created after a morning of discussion about menstrual apps and sexual and reproductive rights for women, near Santiago, Chile. The aim was to graphically compile what was discussed and to analyse the impact of privacy, rights, and diversity in digital environments in Chile.



no quiere vigilancia



RIGHT: Scans from privacy zines produced by Derechos Digitales.



MENSTRUAPPS



VIGILANCIA Y CONTROL SOBRE NUESTROS CUERPOS

Las aplicaciones para controlar el ciclo menstrual, hoy tan populares, no son ideológicamente neutras: reproducen las creencias, sesgos y opiniones de sus fabricantes y permean nuestras experiencias. Qué tal si hacemos algunas preguntas.

¿Puede el celular domesticar mi cuerpo?

¿Quién produjo esta aplicación? ¿Cuáles son sus motivaciones? ¿Cuáles son sus creencias? ¿Qué es lo que esperan de mí o cambio? ¿Cuáles son los términos de uso de la app? ¿Es confiable esta compañía?



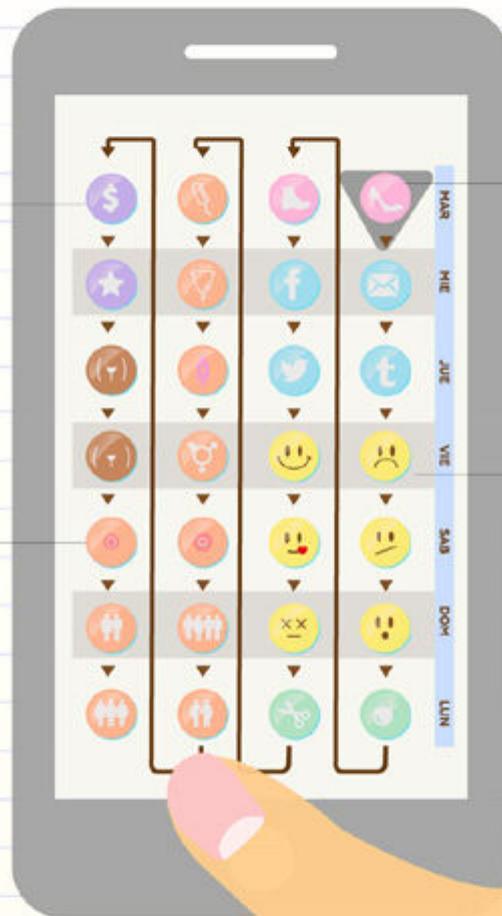
¿Qué experiencias promueve y cuáles reprime esta aplicación? ¿Supone que mi cuerpo es entero y normalmente femenino? ¿Reconoce que pueda sostener diferentes tipos de relaciones, no necesariamente tradicionales?



¿Para quién se hizo esta tecnología? ¿Cuáles son los estándares de normalización que plantea? ¿Cómo condiona y moldea mis experiencias?



¿Qué información entrego al usar esta aplicación (respecto de mi vida sexual, mi fertilidad o mi estado anímico)? ¿Quién la está recolectando y para qué? ¿Con quién la comparte? ¿Me afectaría si esta información se hiciera pública?



Cuando la tecnología infiltra también nuestros cuerpos, tomar distancia y cuestionarla es necesario para aportar en la construcción de una sociedad más justa, respetuosa e inclusiva.



Ilustración: Constanza Figueroa, basado en íconos de thenounproject.com, íconos: Vladimir Garay y Juliana Guerra. ¿Quieres leer más? te recomendamos visitar: chupodados.com y araw.org.mx



DERECHOSDIGITALES
Derechos Humanos y Tecnología en América Latina

WWW.DERECHOSDIGITALES.ORG

RIGHT: This poster shows key questions about menstrual apps and surveillance, evidencing they are not neutral technology. In order to be aware of this, app designers should provide transparency around user concerns, taking into consideration that users are providing sensitive data about natural cycles and intimate life, or trying to fit a mold imposed by others with their own interests and agendas, among other implications.

Research on Privacy, Surveillance, and Gender

Digital Rights Foundation, Pakistan

RIGHT: Digital Rights Foundation conducted a study on the gendered surveillance (state and social) that female journalists face in Pakistan. The journalists spoke about the self-censorship and psychological fear that is generated by surveillance, and the ways that it affects their work.



"Being a journalist, I always feel like I'm under watch. Especially my tweets, because that's the public domain and everyone can see it. I do know my tweets are being, read, watched, monitored—by political parties and agencies"

 Maria Memon (Anchor with ARY News)

Nighat Dad, the Founder and Executive Director of Digital Rights Foundation, said that this is an important conversation to have because "gendered surveillance is a free speech issue - it lets women know that they are being monitored, and discourages them from reporting and participating in digital spaces". The journalists who participated in the research also talked about the toll surveillance can take on their professional and personal lives. Saba Eitizaz felt that social surveillance online has often had "a tremendous psychological effect [and] I felt violated". In her experience, said Kiran Nazish, "it's not just one person telling you that you don't belong here, it's a number of people and that constant refrain can be very intimidating and one starts to feel cornered". The extent of surveillance is so pervasive for journalists that Maria Memon told DRF that "even if I was told that I could tweet about anything without repercussions, I don't think I would still do it because I don't think that surveillance is completely avoidable".



"Surveillance makes you feel "scared, imprisoned, [and] afraid all the time. Due to the secretive and often times undetectable nature of surveillance, you don't know who to fear."

 Kiran Naizish (Journalist who covers issues of conflict, peace, and security from South Asia and the Middle East)

“

Feminism and a feminist approach to surveillance puts marginalised communities, those who are victims of class discrimination, racial, and patriarchal structures, at the centre of discourse around privacy and surveillance.

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The gendered use of technology and surveillance is not a new phenomenon as there is a clear line of continuity in the forms of oppression, control, and surveillance from the past and in offline spaces.

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Excerpt from [a guest post written by Shmyla Khan](#) of Digital Rights Foundation for Privacy International.

Mapping Tech-Related Violence Against Women

Foundation for Media Alternatives, Philippines

In 2012, the Foundation for Media Alternatives (“FMA”) started mapping cases of technology-related violence against women in the Philippines to gather evidence and show how information and communications technologies can be used to perpetrate violence against women. To date, FMA has mapped almost 200 cases ranging from identity theft, sharing of images and videos without consent, blackmailing, and receiving misogynistic messages and threats online, to name a few. The mapping project is a collaboration with the Association for Progressive Communications.

Mapping Technology-based Violence against Women in the Philippines

What is Technology-Based Violence against Women?

Technology-based violence against women (tech-based VAW) encompasses acts of gender-based violence that are committed, abetted or aggravated, in part or fully, by the use of information and communication technologies (ICTs).

Source: gender.org/wordpress/wp-content/uploads/2015/04/04150101.pdf

How prevalent is Tech-based VAW?

The findings are from 130 cases reported on the Take Back the Tech! Philippines online map from 2012 to 2015. See ph.takebackthetech.net/map/

- Almost 74% of women, aged 10-30 and younger are more likely to experience online violence.
- Majority (54%) of reported cases are perpetrated by someone known to the survivor.
- Emotional harm (28%) impeding women's full participation in online and offline life has been reported in a majority of cases.
As well as:
 - Harm to reputation (21%)
 - Sexual Harass (17%)
- The region with the most number of reported cases is Metro Manila with 52%.
- Facebook (28%) and mobile phones (23%) are the platforms where most violations were reported.
- 35% of reported cases have been investigated by the authorities; 16% of cases investigated were initiated by the prosecutor; 11% of cases were reported to State Office specialized in VAW to get help/counseling.

Women and girls reported cases of digital security-related issues:

- 40% reported having their email or social networking account compromised or taken over by someone else without permission (i.e. identity theft & photo/video taking without consent)
- 27% reported cases of repeated harassment, cyberstalking, monitoring and tracking
- 15% of reported cases have resulted to physical harm
- 12% reported having received threats of violence, blackmailing & abusive comments

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The Foundation for Media Alternatives (FMA), is a nonprofit NGO in the Philippines seeking to democratize information and communication systems and resources for citizens and communities. Since its formation in 1987, FMA has sought to enhance the popularization of development-oriented issues and campaigns through media-related interventions, social communications projects, and cultural work. In 1987, FMA focused on the area of information and communications technologies (ICTs) to enable disadvantaged communities assert their communication rights towards progressive social transformation. It has since evolved a pro-active research and advocacy agenda in the area of ICT policy and internet governance. FMA also engages in regional and global governance spaces, and often plays a convening role in various initiatives and engagements in and for Asian civil society. It served as a focal point for Asian NGOs in the World Summit on the Information Society (WSIS) processes, and convenes regional meetings and joint projects in the area of communication rights and access to information/knowledge/culture. FMA is a member of the Association for Progressive Communications (APC).

One of the cases reported in the Foundation for Media Alternative's online mapping is that of a woman who was blackmailed by man into sending him money in exchange for not posting the woman's nude photos. The case was reported to authorities and the man has been charged in court. The cartoon was developed for publication and distribution to create awareness about the issue of online violence against women.



Surveillance and Digital Violence in Colombia

Fundación Karisma, Colombia



During 2016, Karisma Foundation held workshops with women journalists to understand the digital violence they are victims of. They found out that digital violence against them is certainly different in form and seeks, above all, to affect their privacy: their reputation, their family life, and their intimate relationships. Threatening a woman journalist with a warning message that includes data gathered through surveillance, saying she should take care of her children —where they whereabouts are— so that nothing happens to them or that she should not be surprised if she is raped on her way home —indicating where her home is—, it is the most common modus operandi when the victim is a woman, not when the victims are their male counterparts.



There are an increasing amount of people coming online in the country, particularly accessing the internet on their mobile devices, and they must look at what is happening with women who begin to use digital technologies in their day to day life. In 2015, a study with more than 757 women from poor urban areas in Bogotá showed that this population is already connected to the internet through smartphones. But that connection, according to the study, is still limited to Facebook, WhatsApp, and YouTube as means for social activities and entertainment (e.g. watching music videos).

By deepening women's access to and use of the internet, we can identify that there is a great deal of illiteracy, on the one hand, of how technology offers a world of opportunities for the exercise of rights and the empowerment of women and, on the other, on how to implement safer practices when getting online. And this lack of knowledge does not even consider the legal framework and abusive state surveillance practices and much lesser the vigilance that other actors or individuals (e.g. partner, relatives, common criminals, etc.) can exert against them.

Through the work carried out by Karisma, they have been able to identify that there are women who consider it normal for their partners to control their social networks —women are often the ones who voluntarily provide their passwords as “proof of love”— and even through apps where someone’s location can be known at all time. We have also seen how, at times, women have agreed to the idea of creating family accounts, rather than personal, so that there are no “secrets” and their partners can see everything they do. This type of situation allows for the continuous monitoring and control of women, greatly limiting their freedom and independence. And this is no more than the reflection of a society that, in fact, still refuses to recognize women’s rights and gender equity.

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An excerpt from a guest post written by Amalia Toled of Fundación Karisma for Privacy International.

The Right to Privacy for Human Rights Defenders in an Environment of Surveillance

National Coalition of Human Rights Defenders - Kenya, Kenya



The United Nations defines violence against women as “a manifestation of historically unequal power relations between men and women” and that “violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.” It calls out by name “physical, sexual and psychological violence” in the family, general community and as perpetrated or condoned by the State.

Another interest very commonly associated with the term "privacy" is the interest in controlling access to one's body—by touching, sight, and other forms of surveillance. There is a deep concern for keeping certain parts of the body, and certain bodily acts, hidden from the sight of others—and also a more general concern that, whatever one is doing, one should not be watched without one's consent. For example an Azerbaijani journalist Khadija Ismayilova, noted for her high-level investigations into government corruption, had several of her explicit photographs sent to her in the post with a letter calling her a 'whore' and telling her to 'behave' .

Physical surveillance is enabled through the initiative that have been put in place by the state. These can be used to not only infiltrate communication but also to locate the whereabouts of an individual. In Kenya, the security forces are known for torturing people who they require pertinent information from or to intimidate human rights defenders into silence. The threat alive to women human rights defenders is the risk of sexual forms of torture to silence them.



Excerpts from an advocacy paper entitled “Securing The Right Privacy For Women Human Rights Defenders In An Environment Of Surveillance” written by the National Coalition of Human Rights Defenders - Kenya.

Screenshots from a video created by the Office of the High Commissioner for Human Rights in partnership with the National Coalition of Human Rights Defenders - Kenya in celebration of 2016 International Human Rights Day.



Full video can be found [here](#).