

Chapter 30

Combating Cyber Violence Against Women and Girls: An Overview of the Legislative and Policy Reforms in the Arab Region*

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Abstract


Violence against women and girls is globally prevalent. Overcoming it is a prerequisite for attaining gender equality and achieving sustainable development. The United Nation's 2030 Agenda for Sustainable Development considers technology as a means to combat violence against women and girls, and there is ample evidence on the positive impact of technology in combating violence. At the same time, however, technology can promote and perpetrate new forms of violence. Research shows that more than 70% of women and girls online are exposed to forms of cyber violence. Most of these cases remain unreported.

This chapter argues that technology contributes to increasing cyber violence against women and girls which in turn leads to severe social and economic implications affecting them. It also argues that legislative and policy reforms can limit this type of violence while enabling women and girls to leverage technology for empowerment. It highlights cases of cyber violence in the Arab region and provides an overview of applicable legislative frameworks. The chapter concludes with recommended policy reforms and measures to strengthen and harmonize efforts to combat cyber violence against women and girls in the Arab region.

*This chapter presents the opinion of the author solely. The United Nations Economic and Social Commission for Western Asia (UN ESCWA) does not represent or endorse any advice, opinion, statement, or information provided.

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Introduction

Combating violence against women and girls (VAWG) is a prerequisite for achieving gender equality, which is pivotal for sustainable development. VAWG can be physical, sexual, emotional, and/or economic and can happen everywhere – peaceful countries, countries in conflict, physical spaces, and digital contexts (UN Women, 2020a). Violence constitutes one of the main barriers for women and girls affecting their ability to enjoy fundamental rights and freedoms (United Nations-GA, 2019). Countries need to take appropriate measures to combat this by enacting dedicated laws, policies, strategies, and programs.

Research indicates that technology is used to facilitate violence, abuse, and harassment against women and girls. One in three women worldwide face violence and more than 70% of women online have been exposed to some form of cyber violence (Cyber VAWG) (UN-BC-DDWGBG, 2015). Groups of women, including human rights defenders, women in politics, journalists, bloggers, and women with disabilities, are particularly targeted by technology-facilitated violence (OHCHR, 2018). In times of COVID-19, even more women and girls have been subjected to online violence in the form of physical threats, sexual harassment, stalking, “zoom bombing,” and trolling (UN Women, 2020b).

International human rights frameworks on VAWG recognize that technology is not only being used to perpetrate violence but is also a key tool for combating forms of VAWG. Arab countries have committed to these frameworks in some way. This chapter aims to show that while technology plays a critical role in achieving gender equality and sustainable development, it fosters existing forms of violence and creates new ones. This chapter also highlights the need for legislative and policy reforms addressing VAWG in both physical and virtual spaces and suggests ways forward to ensure that strategies in the Arab region for addressing VAWG generally and technology-facilitated VAWG specifically keep pace with international legal frameworks that combat VAWG and technology-facilitated abuse.

The first section of the chapter explores the diverse ways in which technology is used to facilitate VAWG, including during the COVID-19 pandemic period. The second section considers possible means to transform these negatives into methods for combatting VAWG. The third section overviews the international frameworks on VAWG and those related to technology-facilitated abuse and highlights the gaps that exist in legal frameworks addressing VAWG and cybercrime in the Arab region. The chapter concludes with recommendations for governments and relevant stakeholders on how to address negatives of technology to further VAWG and turn it into a positive means to combat the pandemic of violence.

Technology as a Tool to Perpetrate Violence Against Women and Girls in the Arab Region

Sexual violence and domestic violence are two of the most common forms of VAWG (Eltigani, 2019). According to the World Health Organization, one in every three women worldwide has experienced physical and/or sexual violence by a male partner (WHO, 2013). Also, about 7% of women aged 15 and older have experienced sexual violence by a non-partner, with wide variations by region (García-Moreno et al., 2013). In the East Mediterranean region, which encompasses most of the Arab states, the percentage of ever-partnered women facing physical or sexual violence reached around 37% in 2017 (UN ESCWA, 2017). Sexual harassment is also a widespread issue in the Arab region as evidenced by the 2018/2019 survey conducted by the Arab Barometer (Bouhlila, 2019). The survey indicated that sexual harassment was most common in Egypt (44%) and Sudan (38%) and less reported in Libya (20%) and Tunisia (15%) (Bouhlila, 2019, p. 4).

Technology-facilitated violence is common, and cyber VAWG can take many forms, including hate speech, hacking, identity theft, online stalking, trafficking, and sex trade (UN-BC-DDWGBG, 2015). The United Nations (UN) report “Cyber Violence Against Women and Girls: A Worldwide Wake-Up Call” called for a global wake-up to combat cyber violence, including cyber VAWG, and labeled it as a systemic concern given the global spread of technology, including in the Arab region. The report notes that globally 73% of women have endured cyber violence, and that women are 27 times more likely than men to be harassed online (UN-BC-DDWGBG, 2015).

Many cases of cyber VAWG were recently under the spotlight in the Arab region, but the scarcity of data makes it difficult to understand the nuances of this phenomenon. More than half of young people surveyed in Jordan were bullied online at least once (UNICEF, 2020). As well, the Arab Center for the Development of Social Media and the Swedish “Kvinna till Kvinna Foundation” studied gender-based violence in Palestinian communities through social networks and the internet. The results were based on quantitative and qualitative data. A total of six focus groups were held in the Gaza Strip, the West Bank, Jerusalem, Haifa, and the Galilee. Additionally, a face-to-face poll included more than 1,200 Palestinian women between the ages of 15 and 35 throughout historic Palestine. One of the main outcomes of this research was that a third of young Palestinian women experienced online sexual harassment (Odeh, 2018).

In Morocco, data were collected via the second National Survey on the prevalence of violence against women in the 12 regions of the Kingdom. 13,543 women aged 18–64 out of an estimated total of 10,937,433 adult females in Morocco were surveyed between January 2 and March 10, 2019. The results of the National Survey showed that violence against women stood at 54% in 2018, and more than 13% of the women surveyed had experienced online abuse. Of these, 30% were aged 18–25 years, and 46% held advanced university degrees (MFSESD, 2019).

In Egypt, females were highly exposed to cyber violence, with a recent study showing 41.6% of the 356 female participants experienced cyber violence during 2019 (Hassan, Khalifa, Desouky, Salem, & Ali, 2020). Up to 45.3% of respondents reported multiple instances of exposure to online violence. In 92.6% of cases, the offender was unknown to survivors. The study results indicated the most common forms of violence as follows: 41.2% had received images or symbols with sexual content; 26.4% had received insulting emails or messages; 25.7% had received offensive or humiliating posts or comments; 21.6% had received indecent or violent images that humiliated women; and 20.3% had received infected files through emails. Most of the victims (76.9%) experienced psychological effects in the form of anger, worry, and fear. Blocking the offender was the most common response. Furthermore, none of the cases surveyed were reported to the police (Hassan et al., 2020, p. 2), which could be for numerous reasons (Gracia, 2004); for example, victims may fear damage to their reputation through police reporting and publicization or lack awareness of laws condemning cyber violence (Lewis, Rowe, & Wiper, 2017), which are discussed further below.

The status of cyber violence worsened during COVID-19, the first major pandemic of the social-media age (Vox, 2020). Despite the existing digital gender divide which is at its highest in the Arab region, women and girls started using the internet more frequently during the global pandemic (ITU, 2020). During lockdown, quarantine measures and self-isolation policies led to an increased use of the internet. Women, men, girls, and boys turned to the internet for work, school, and social activities (UN Women, 2020b). This increase was tightly coupled with an increase in cyber violence, particularly for users with limited digital skills (UNODC, 2020). Given that the Arab region has the highest digital gender divide (ITU, 2020), Arab women and girls are at a higher risk for these forms of violence.

Technology as a Tool to Combat Violence Against Women and Girls in the Arab Region

Technology has a dual effect when it comes to combatting VAWG and achieving gender equality. On one hand, as the data discussed above indicate, it can propagate existing forms of VAWG and even create new ones. On the other hand, if properly used, technology becomes core to achieving gender equality. The examples below, though not exclusive, show the role that technology can play in breaking the cycle of VAWG.

There is a growing number of technological interventions used in the Arab region for combating VAWG. In some instances, technology is used to raise awareness of harassment in public spaces, map safe areas, advocate for safe services, report unsafe areas, and track women and girls to take action when needed (Al-Nasrawi, 2019). In Egypt, for instance, a real time violence mapping tool called HarassMap (HarassMap, 2020) receives reports of sexual harassment through SMS messages. These reports are uploaded in real time to an online map which monitors where sexual harassment is happening in Cairo through hotspots.

These hotspots indicate to women and girls areas to avoid in order to ensure their safety. This use of technology is timely as a high percentage of women have been exposed to sexual harassment in the country. In 2013, according to research undertaken by UN Women (2013), 99% of Egyptian girls and women surveyed reported experiencing some form of sexual harassment in their lifetime (UN Women, 2013). Today, sexual harassment is still considered a major problem in Egypt (Promundo & UN Women, 2017).

Another example from Egypt is “StreetPal” (StreetPal, 2018), an application for women and girls to raise awareness about sexual harassment. The application empowers women and girls to take a stand against harassment and provides them with an array of options, such as sending a short text or email to a trusted person to report harassment or safety issues. The application also includes a map that could be used by women and girls to reach the nearest police station or hospital in case medical care is required. Moreover, the application can make audio recordings to be used as evidence if needed. It also provides psychological support and a library of information about sexual harassment.

In Morocco, technology is used to address sexual violence and harassment of women in public spaces through the “Finemchi” application (Finemchi, 2020). This application proposes safe places for women and girls to visit based on reviews and ratings provided by users on how female-friendly the places are. The technology helps women and girls avoid places where harassment might happen and make safe decisions related to their movements. It also encourages owners of businesses or identified hot spots to take necessary measures to enhance their safety rating.

Another example is “Securella” (Richter, 2018), a mobile application also developed in Morocco. Securella alerts women about insecure or dangerous streets. The application exposes users to a network of participating restaurants and shops, so they can call for help with a wearable device and be located through a Global Positioning System. These places are labeled as “Securella places” (Vodafone, 2017). The application enables users to trigger an “alarm” when they feel at risk. Users can benefit from the application not only by triggering the safety alarm but also by being connected to agents for immediate intervention if in danger. Agents could be police, friends, or even members of the Securella places network. It is important to note that technology-enabled initiatives that involve tracking also create their own privacy and surveillance problems for women and girls should the devices or collected data fall into the wrong hands.

In Tunisia, “SafeNes” (WomenYSK, 2018) is a mobile application aimed at raising awareness for VAWG and connecting survivors with specialized non-governmental organizations. It provides a means to pinpoint VAWG and identify a person that users entrust to track their movements when they are in a place that makes them feel anxious or unsafe. The application also provides users with self-defense tutorial videos and information about legal procedures following a sexual harassment report.

To benefit from technology-enabled initiatives, women and girls need to be connected. In the Arab region, 36.9% females compared to 46.2% males currently have access to and use the internet (Badran, 2017). If this digital gender gap persists, women and girls will not only be prevented from benefiting from

technology-enabled anti-violence initiatives, they will also be at a serious disadvantage in acquiring digital skills and literacy, learning about and exercising their rights, and accessing economic opportunities that could lead to bridging the gender gap and fostering the achievement of gender equality in the Arab region. Being connected is a must for women's empowerment, especially in our current knowledge society. However, being connected is tightly related to a bundle of challenges. Telephones, computers, and the internet can be used to harm women and girls, and these harmful actions can push women and girls to step back from technology completely, further contributing to gender inequality in the region.

International Frameworks and National Legal and Policy Reforms for Addressing Offline and Online Violence Against Women and Girls

The false dichotomy between VAWG (offline) and cyber VAWG (online) underestimates the harms of cyber VAWG and characterizes victims' experiences as incidents rather than repeated behavioral patterns. Research indicates that the perpetrator of offline VAWG often repeats the acts online with the same victims (EIGE, 2017). Therefore, a mutually reinforcing relationship between combating offline and online VAWG exists. Accordingly, general laws against VAWG may also be of assistance in combatting technology-facilitated VAWG. One of the main entry points to combating the pandemic of offline and technology-facilitated VAWG is through top-down changes introduced by governments and political leaders enacting the appropriate legislative and policy reforms. This section reviews the progress and challenges of gender justice and equality before the law, both in relation to VAWG and to women's and girls' access to and use of technology. It will first provide an overview of the relevant international human rights frameworks, and second, it will overview the status of national legislative and policy reforms in the Arab region focused on domestic violence, sexual harassment, and cybercrime.

International Frameworks

In 1979, the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which entered into force as an international treaty in 1981 (OHCHR, n.d.). In 1992, the CEDAW's general recommendation 19 (Article 1) noted that discrimination includes VAWG, which made preventing and addressing VAWG an obligation for ratifying states. In 2017, that general recommendation was updated by general recommendation 35, which established the prohibition of VAWG as a norm for international law. Moreover, in 1995, the Fourth World Conference on Women witnessed the adoption of the Beijing Declaration and Platform for Action, which addressed, through paragraph 113, VAWG and its different forms and proposed actions for governments to consider.

In 2015, countries around the world, including all Arab countries, adopted the 2030 Agenda for Sustainable Development (2030 Agenda) which recognized the

impact of VAWG on the well-being of women and girls through its various Sustainable Development Goals. Specifically, this was addressed through Goal 5 on gender equality, Goal 16 on peaceful and inclusive societies, and Goal 11 on sustainable cities and communities. In addition, the UN General Assembly gave sexual harassment special attention by issuing the first resolution on the issue, numbered 73/148, adopted in January 2019 (United Nations-GA, 2019). This resolution called for increasing the focus on preventing and eliminating all forms of VAWG, including sexual harassment, as a barrier to gender equality, the empowerment of all women and girls, and the full realization of their human rights globally and in the Arab region.

Access to technology has become a necessity for the economic well-being of all people and is increasingly regarded as a fundamental human right (EIGE, 2017). The role of technology in achieving gender equality has been highlighted in international forums and global development agendas for decades. The Fourth World Conference on Women in Beijing in 1995 was the first to recognize the critical impact of Information and Communication Technologies (ICTs) on achieving women's empowerment and gender equality. Also, in 2003, ICTs were regarded as offering opportunities for the full engagement of women in society by the World Summit on the Information Society (WSIS). This was reiterated in 2005 and in WSIS+10 in 2015. At the level of the UN Commission on the Status of Women, the role of ICTs was clearly stated in its 55th and 57th sessions. ICTs' positive role has gained increasing consideration and was more recently highlighted in the 2030 Agenda as a means of implementing Goal 5 on gender equality, including two targets specifically focused on VAWG and on sexual harassment of women and girls in public spaces.

In 2018, the UN Special Rapporteur on Violence against Women (VAW) further extended the concept of the intersections of violence and highlighted online violence and its different forms from a human rights perspective. For instance, there are many shared risk factors between VAW and Violence against Children (VAC). Child abuse and VAW often occur in parallel in the same household, both types of violence are often supported by social norms, and seeking help is often discouraged (Guedes, Garcia-Moreno, & Colombini, 2016). The Special Rapporteur noted the intersectional nature of health, economic, and criminal justice service costs (UN ESCWA, 2019), as well as the worsening of VAWG in full or in part because of the use of ICTs such as phones, internet, social media platforms, email, and other means. The Special Rapporteur noted that although technology is internationally recognized to achieve gender equality and sustainable development, it must be used with care (OHCHR, 2018). The positive impact of technology should be harnessed to combat VAWG, but its exacerbating impact on violence and the potential creation of new forms of violence should be addressed in parallel.

National Legislative and Policy Reforms

Despite these international frameworks and efforts that countries are exerting to combat VAWG (formulating sound policies, enacting and enforcing legislation

and reforms, enhancing services, and encouraging technology-enabled initiatives), more needs to be done. Overcoming VAWG in physical and digital contexts, as well as ensuring women's and girls' access to technology, are prerequisites for attaining gender equality and achieving sustainable development. The discussion below demonstrates some of the related gaps in national laws in the Arab region.

Tables 30.1 and 30.2 include data reported for 82% of the countries in the Arab region (18 out of 22 countries). The missing countries are Comoros, Kuwait, Mauritania, and the United Arab Emirates. Whether a country has a law or not for a specific reported category of VAWG is indicated by "Yes," "No," and "Partly." "Yes" indicates that the country has a law which calls for gender equality and/or protection from gender-based violence and is substantially compliant with international standards; "No" indicates that the law does not focus on gender equality and/or there is no or minimal protection from gender-based violence; "Partly" denotes that some gender justice aspects of the law have been addressed, but important gender inequalities remain. General laws against VAWG may also be beneficial in combating technology-facilitated VAWG in these areas because existing laws may also be applied to technology-facilitated instances and because technology-facilitated instances of VAWG are often connected with physical in-person VAWG.

Domestic Violence Laws

Six Arab countries out of 18 (33%) have enacted laws specifically addressing domestic violence: Bahrain, Jordan, Lebanon, Morocco, Saudi Arabia, and Tunisia. Algeria and Iraq have partial laws. In Algeria, domestic violence was criminalized by Law No. 15–19 of December 30, 2015 amending the Penal Code, but there is no law on domestic violence prevention measures, such as protection orders. In Iraq, there is no federal domestic violence law, but the Iraqi Kurdistan region is protected by their local law to combat domestic violence. Table 30.1 overviews the status of laws of domestic violence in the Arab region by country.

Sexual Harassment Laws

Nine countries out of 18 (50%) have enacted laws addressing sexual harassment: Algeria, Egypt, Iraq, Morocco, Qatar, Saudi Arabia, Somalia, Sudan, and Tunisia. The remaining countries have partial laws to address the issue. For instance, Bahrain does not have a sexual harassment law, but has other instruments that penalize sexual offenses in the workplace context and has criminalized acts of immorality and assault in their Penal Code. In Oman, there is no specific sexual harassment law, but VAWG, which falls under this category, is criminalized under Article 266 of the Penal Code. The same applies to Palestine, which criminalizes unwanted sexual conduct including sexual harassment through Article 305 of the Penal Code. Table 30.2 describes the status of sexual harassment laws in the Arab region by country.

Table 30.1. The Status of Domestic Violence Laws in the Arab Region.

	Existence of Domestic Violence Law	Detailed Description
Algeria	Partly	Domestic violence was criminalized by Law No. 15–19 of December 30, 2015 amending the Penal Code. Penalties for some Penal Code offenses involving spouses were increased. However, there is no law on domestic violence prevention measures, such as protection orders.
Bahrain	Yes	Women and girls are protected by the Law on Protection against Domestic Violence, Law No. 17 of 2015. The Law does not specifically include marital rape.
Djibouti	No	Djibouti has no domestic violence legislation.
Egypt	No	There is no law on domestic violence. Some domestic violence offenses may be punishable under the Penal Code and Law No. 6 of 1998, but only if the act exceeds the accepted limits of discipline decided by the judge and if the injuries are apparent when filing the complaint at the police station.
Iraq	Partly	Women and girls in Iraqi Kurdistan Region (IKR) are protected by the Law to Combat Domestic Violence in IKR, Law No. 8 of 2011. There is no federal domestic violence law. Article 41 of the Iraqi Penal Code of 1969 states that the punishment of a wife by her husband is the exercise of a legal right.
Jordan	Yes	Women and girls are protected by the Law on Protection from Domestic Violence, No. 15 of 2017. The law does not provide a definition of domestic violence crimes.
Lebanon	Yes	Women and girls are protected by the Law on Protection of Women and other Family Members from Domestic Violence, Law No. 293 of 2014. The

Table 30.1. (*Continued*)

Existence of Domestic Violence Law		Detailed Description
Libya	No	Law does not include marital rape. A Bill that proposes amendments to improve the Law has been drafted but is yet to be considered by Parliament. Libya has no domestic violence legislation.
Morocco	Yes	Women and girls are protected by the Law on Combating all Forms of Violence against Women, Law No. 103–13. However, it does not include marital rape or provide a definition of domestic violence.
Oman	No	Oman has no domestic violence legislation.
Palestine	No	Palestine has no domestic violence legislation.
Qatar	No	Qatar has no domestic violence legislation.
Saudi Arabia	Yes	Women and girls are protected by the Law on Protection from Abuse 2013. It creates criminal penalties for acts of domestic violence and establishes a process for people to lodge complaints and receive protection. The law does not include marital rape.
Somalia	No	Somalia has no domestic violence legislation.
Sudan	No	Sudan has no domestic violence legislation.
Syria	No	Syria has no domestic violence legislation.
Tunisia	Yes	Women and girls are protected by the Law on Eliminating Violence against Women, No. 58 of 2017.
Yemen	No	Yemen has no domestic violence legislation.

Source: Compiled from the Country Profiles on “Gender Justice and Equality before the Law” developed by UN ESCWA, UN Women, UNFPA and UNDP, 2019.

Table 30.2. The Status of Sexual Harassment Laws in the Arab Region.

Existence of Sexual Harassment Law		Detailed Description
Algeria	Yes	Sexual harassment is criminalized by Articles 333 bis and 341 bis of the Penal Code.
Bahrain	Partly	Although there is no sexual harassment offense in the Labor Law No. 36 of 2012, workplace sexual harassment of government employees is penalized by the Civil Service Law. The Penal Code also criminalizes acts of immorality and assault (Articles 344 and beyond of the Penal Code).
Djibouti	Partly	Penal Code offenses may cover some forms of sexual harassment. Articles 430–431 of the Penal Code criminalize public insult with penalties of six months’ imprisonment and a fine.
Egypt	Yes	Law No. 50 of 2014 amended the Penal Code (Articles 306 bis(a) and 306 bis(b)) to introduce penalties for sexual harassment, including imprisonment.
Iraq	Yes	Sexual harassment in the workplace is prohibited by the Labor Law. Some forms of sexual harassment are prohibited by Articles 400 and 402 of the Penal Code. These offenses include committing an immodest act, making indecent advances, or assaulting a woman in a public place in an immodest manner.
Jordan	Partly	Sexual harassment can be punished as the offense of unwanted sexual contact under Articles 305 and 306 of the Penal Code. However, the scope of the law is unclear and online harassment is not addressed. Penalties are increased if the perpetrator is an employer or supervisor.

Table 30.2. (Continued)

	Existence of Sexual Harassment Law	Detailed Description
Lebanon	Partly	The Labor Code does not prohibit workplace sexual harassment. The Penal Code includes the punishment of some indecent acts to which the description of sexual harassment may apply, including Articles 385, 507, 519, and 532.
Libya	Partly	Article 12 of the Labor Relations Law prohibits employees from performing or inciting acts of sexual harassment. Articles 368–398 of the Penal Code criminalize physical and sexual assaults in public.
Morocco	Yes	Article 503 of the Penal Code criminalizes sexual harassment.
Oman	Partly	Although there is no specific sexual harassment offense, indecent acts or gestures against women and girls are criminalized by Article 266 of the Penal Code.
Palestine	Partly	Sexual harassment is not criminalized by the Labor Code. Article 305 of the Penal Code criminalizes unwanted sexual conduct, which covers some types of sexual harassment.
Qatar	Yes	Offensive remarks, sounds, or gestures against women and girls are criminalized by Article 291 of the Penal Code.
Saudi Arabia	Yes	Sexual harassment was criminalized in 2018. The law defines “harassment” as any word, act, or sign with a sexual connotation by a person to any other person that harms their body or modesty by any means, including through modern technology.

Table 30.2. (Continued)

	Existence of Sexual Harassment Law	Detailed Description
Somalia	Yes	Article 24 of the Provisional Constitution prohibits sexual abuse in the workplace. The Puntland Sexual Offences Act 2016 prohibits sexual harassment.
Sudan	Yes	Article 151 of the Criminal Act was amended in 2015 to criminalize acts of sexual harassment.
Syria	Partly	There is no specific sexual harassment offense in the Penal Code or Labor Law. However, according to the Penal Code, criminal conduct includes indecent touching.
Tunisia	Yes	Article 226 of the Penal Code prohibits sexual harassment.
Yemen	Partly	There is no specific offense of sexual harassment. Some types of harassment may fall under the crimes of committing disgraceful acts against women and girls, which are punishable under Articles 273 and 275 of the Penal Code.

Source: Compiled from the Country Profiles on “Gender Justice and Equality before the Law” developed by UN ESCWA, UN Women, UNFPA and UNDP, 2019.

In summary, among the listed Arab countries, 33% of countries have domestic violence laws, and 50% have sexual harassment laws. A thorough analysis of these laws indicates that technology is not considered, except for the law enacted in Saudi Arabia in 2018, which defines “harassment” as any word, act, or sign with a sexual connotation by a person to any other person that harms their body or modesty by any means, including through modern technology. Moreover, none of these countries have introduced specific legislation to address the problem of technology-facilitated abuse. This is alarming and requires immediate action from governments in the region.

For a comprehensive analysis of the status of laws impacting offline and online VAWG, the following subsection overviews the status of cybercrime laws in the Arab region.

Cybercrime Laws

Cybercrime has witnessed a rapid growth in the connected world we are living in. Though there is no agreed-upon standardized definition for the term “cybercrime,” it is commonly defined as “any activity in which computers or networks are a tool, a target, or a place of criminal activity” (ITU-D., 2009). International and regional instruments refer to cybercrime as “a set of conducts or a collection of acts, making it an umbrella term rather than assigning a single definition” (Council of Europe, 2020a, 2020b). Cybercrime can be divided into two main categories: crimes that target networks or devices, and crimes that use devices to participate in criminal activities such as cyberstalking and identity theft (Panda Security, 2019). Enacting laws to combat cybercrime, including cyber VAWG, assists in tackling this growing issue.

The Council of Europe Convention on Cybercrime, also called the Budapest Convention, was opened for signature in 2001 and is globally considered the most relevant international instrument on cybercrime. Signatory States ratifying the Budapest Convention commit to harmonizing their laws, enhancing cybercrime investigative techniques, and increasing international cooperation between other States. As of March 2020, there were 64 signatory States to the Convention, among which only three states signed without subsequent ratification, and no Arab States signed (Council of Europe, 2020a, 2020b).

The adoption of cybercrime legislation in the Arab region varies between countries. Currently, 138 countries, including 13 Arab countries, have enacted cybercrime laws. The remaining nine Arab countries either applied general laws to fight cybercrime or did not take any measures. Therefore, only 60% of Arab countries have enacted laws to combat cybercrime, cyber VAWG inclusive. The United Arab Emirates was the first country in the region to adopt such a law with Cybercrime Law No. 2 in February 2006. In 2007, Saudi Arabia issued a cybercrime law named “the Information Technology Crime System.” This was followed by Sudan, Algeria, Jordan, Oman, Syria, Bahrain, Qatar, Kuwait, Mauritania, Egypt, and Palestine (Shqair, 2019). Table 30.3 overviews the status of existing cybercrime laws in the Arab region with a description for each country.

As mentioned, technology is now globally recognized as a means for achieving gender equality and sustainable development. However, in order to exploit the potential of technology in empowering women and girls in the region, eliminating cyber VAWG through immediate, multidimensional, and comprehensive action becomes a key priority. This requires a legal framework substantiated by relevant policies and programs with a follow-up and monitoring mechanism. The Arab region can fill the gap in the legal framework needed to combat VAWG and give particular consideration to technology-facilitated violence, especially given the escalation of this form of violence during the COVID-19 pandemic. This can only happen if the efforts of various related stakeholders, including governments, civil society, and internet intermediaries are concerted. VAWG is a human rights breach and a pandemic that technology can spread further if governments and relevant stakeholders do not take immediate actions.

Table 30.3. The Status of Cybercrime Laws in the Arab Region.

	Existence of Cybercrime Laws	Detailed Description
Algeria	Yes	Law No. 09–04 of August 5, 2009 containing specific rules on the prevention and fight against information technologies and communications crimes.
Bahrain	Yes	Law No. 60 of 2014 concerning information and communications technology crimes.
Comoros	No	Comoros does not have specific criminal legislation pertaining to cybercrime
Djibouti	No	Laws on the information and communications technology and the postal and telecommunication sectors; law on protection of copyright and penal code.
Egypt	Yes	Law No. 17 of August 2018 concerning Anti-Cyber and Information Technology Crimes
Iraq	No	A draft law was prepared and then revoked in 2013.
Jordan	Yes	Law issued in 2010 as a temporary one and then became permanent in 2015 Information Systems Crime Law no. 30 of 2010.
Kuwait	Yes	Law No. (63) issued in 2015 on Combating Information Technology Crimes.
Lebanon	No	Lebanon does not have specific criminal legislation pertaining to cybercrime.
Libya	No	Libya does not have specific legislation pertaining to cybercrime. However, Libya is

Table 30.3. (Continued)

	Existence of Cybercrime Laws	Detailed Description
Morocco	No	currently drafting new legislations on cyber-activities. Legislation on cybercrime has been enacted through the Penal Code
Oman	Yes	Royal Decree No 12/2011 issued the Cyber Crime Law in 2011
Palestine	Yes	Law issued in 2018.
Qatar	Yes	Law No (14) issued in 2014 on Promulgating the Cybercrime Prevention Law.
Saudi Arabia	Yes	Anti-Cyber Crime Law, Royal Decree No. M/17, March 26, 2007.
Somalia	No	Somalia does not currently have any officially recognized national legislation pertaining to cybercrime but there is a work in progress.
Sudan	Yes	Law issued in 2007 and then amended in 2018.
Syria	Yes	Law No. 17/2012 Organizing Online Communication and eCrime Prevention.
Tunisia	No	Cybercrime Bill, 2014.
United Arab Emirates	Yes	Federal Decree-Law No. (5) of 2012 on Combating Cybercrimes.
Yemen	No	Draft Law on Combating Electronic Crime

Source: Compiled from the International Telecommunication Union's country profiles on CyberWelness, 2013; UNCTAD Cybercrime legislation worldwide database (https://unctad.org/en/Pages/DTL/STI_and ICTs/ICT4D-Legislation/eCom-Cybercrime-Laws.aspx) and <https://arij.net/wp-content/uploads/2019/12/Policy-Paper-Cyber-Crime-Laws-in-the-Arab-World-ARIJ-1.pdf>.

Conclusion

Different factors will underpin and guide future policy reforms and measures to strengthen and harmonize efforts geared toward combating offline and online VAWG in the Arab region. Governments in the region need to implement a national prevalence survey on cyber VAWG to design evidence-based policies and programs. Violence prevention initiatives should engage men and boys to help transform gender power imbalances that reinforce VAWG and should be tailored to address gender discrimination and break social norms that normalize violence. Moreover, implementing a national anti-cyber VAWG program that ensures inclusive engagement of women, men, girls, and boys to counteract this growing phenomenon will further contribute to positive change.

Governments should ratify the Budapest Convention on Cybercrime and enact laws to protect women and girls from all types of cyber VAWG. By strengthening specialized protocols and codes of conduct for law enforcement officials governments play a critical role in breaking the cycle of technology facilitated VAWG. They play a major role in informing internet users about these protocols, where to report cases of technology facilitated VAWG, and in times of pandemics such as COVID-19, inform users how to access essential services online. Also, to combat sexual exploitation, governments should strengthen existing directives on addressing sexual exploitation online and highlight good practices that effectively address technologyfacilitated VAWG to inform a range of stakeholders.

Civil society organizations also play a central role in combatting VAWG. They can raise awareness and help women advocates, educators, and internet users to identify and report technology-facilitated violence. They can also provide tools and resources needed for women and girls to report online violence and produce simple communication materials that demonstrate its harmful impact especially on high-risk groups of women and girls. By promoting an intersectional understanding and approach to communities who experience multiple forms of oppressions and harassment online, as part of the continuum of violence, civil society can prevent the further spread of online VAWG.

Internet intermediaries also play an important role in combatting VAWG. They should always set clear commitments to safeguarding women and girls in online spaces and provide accessible and transparent reporting procedures for technology-facilitated VAWG. Among many actions, internet intermediaries should invest in education campaigns on preventing online VAWG and promoting human rights and digital security for all (see Henry & Witt, this volume).

These suggested actions and initiatives require the engagement of all relevant stakeholders. Fostering public-private partnerships could ensure that governance structures, strategies, investments, technology sectors, access, and skills development are inclusive and gender-responsive. Ensuring an enabling environment for these multi-stakeholder collaborations remains a precondition for harvesting their added value in combating VAWG.

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