

## A CASE STUDY FROM BOSNIA AND HERZEGOVINA

# HOW A FAKE FACEBOOK PROFILE THREATENED TO DESTROY ONE FAMILY'S LIFE

**Keywords:** sexual harassment; harm to reputation; faking personal data; sharing photo without consent; stealing identity; Facebook; harm to children; abusive comments; reported to law enforcement; collective action; reported to platform; platform takes action; emotional harm; abuser is unknown; repeated harassment; survivor's age is over 60

### THE STORY AND THE VIOLENCE

Sandra is a 64-year-old single mother of three children, two of whom live with her in a small city in Bosnia and Herzegovina. Sandra divorced her husband after a highly fraught marriage, during which her husband had a child with another woman and landed himself in jail for embezzlement. The last decade has been a financially and emotionally difficult period for Sandra, but at the end of 2013, an incident of public violence made it even worse.

In December that year, Sandra's youngest son received a Facebook friend request from an account that was under his mother's name and contained her photographs. After noting that his mutual friends with this person were some of his classmates from school, he accepted the request and visited what he thought was his mother's profile. The reality was completely different. From listing Sandra's professions as "stripper" and "Durex tester" to regular status updates comprising open calls for anal and oral sex, the account was clearly a fake. When her son sent a private message to the account demanding to know who was behind the fake profile, he received threats to his wellbeing and more insulting comments about his mother. He then brought the page to Sandra. "I tried to collect myself and my thoughts as soon as possible," she says. "I had to find the right words to explain this to my children. I didn't really know what this meant for me, but I knew

that the internet makes it all go faster – 'from ear to ear' as they say. And this is a small town." Sandra goes on to recall the moment with clarity. "I was standing there, behind my son, looking at my photos on that screen," she says. "That was me. My photos; my name. But it *wasn't me*... I wanted to shout out loud at my children, 'That is not your mother!' But they knew that... I was frozen. Numb."

The nightmare was just beginning. Sandra's children's classmates would provoke both her and her children, and make insulting remarks to her face. Sandra says, "I tried to joke with them and not answer anything bad, because I knew that would again affect my children." Moreover, she knew that many of the "grown-up comments" the kids were making were a result of them overhearing their parents talk about her. During this period, Sandra began to receive several friend requests on her real Facebook account; however, most of these were requests for sexual favours.

The violence Sandra experienced via this account caused her intense psychological harm: both because she felt unable to protect her children and because she felt a profound loneliness and isolation in her struggle. Following the advice of the school principal and psychologist, Sandra removed her children from school for the rest of the term. But since they remained active online, her children continued to experience abuse and be aware of the continuing presence of the

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fake profile. Sandra says of this period, "During the winter break no one from school even contacted me at least to ask how I was." Her loneliness in the face of indifference and ostracism was crushing, and given that her hometown is a small city with tightly knit communities, it is unlikely that the gossip created around Sandra's family will soon be forgotten.

## SEEKING JUSTICE

A few days after Sandra learned about the fake profile she took the matter to her local police station. Here she was immediately rebuffed and sent to the Ministry of Internal Affairs. When she was finally able to meet with the Federal Inspector of Internal Affairs, she provided him with a detailed description of the abuse she was facing. However, throughout her interview the inspector refused to take notes and seemed disinterested in the case as a whole. While she waited for the Ministry to respond to her complaint, she also approached the State Investigation and Protection Agency (SIPA) and the Prosecutor's Office, both of which proved to be fruitless exercises, since they refused to even listen to her. Throughout her battle for justice, Sandra encountered an *institutional indifference amongst law enforcement agencies*. When the Ministry of Internal Affairs finally responded to Sandra seven days later – after much persistence on her part – she was informed that her case was "not a criminal offence". But in reality, there was an *inaccurate characterisation of the offence*. Both Sandra and the Federal Inspector emphasised the case as connected with Facebook, the internet, and online photographs, for which there is currently no specific law. However, the case should have been filed under slander, gender-based violence, or threats, for which there are adequate provisions under the existing criminal code.

When the violence began, Sandra also approached the principal of her children's school, hoping to control the extent and influence of the rumours, especially since she suspected that a child had started the fake profile. Here she faced the same *dismissive attitude* as displayed by the police, SIPA, the Ministry of Internal Affairs, and the Prosecutor's Office. Sandra says, "I felt betrayed by the school principal... I really expected he would at least have one urgent meeting with other parents... I was wrong once again." In fact, the principal told Sandra that he could do nothing because "the internet is a private thing."

## FINDING AGENCY

In early 2014, Sandra was contacted by the One-World Platform for Southeast Europe (OWPSEE), which helped her to protect her own privacy online as well as plan *a collective action against the fake profile*. After coordinating a large group of people to report the profile across five hours, it turned out that *the most effective strategy was for Sandra herself to report the account to Facebook*. Thirty minutes after her complaint, the fake profile was removed. Prior to OWPSEE's intervention, Sandra was unaware of these mechanisms.

Sandra is determined to continue her fight for legal justice. She says, "It is so important to find out who is behind this. It is not my goal to have someone punished [because the culprit is] probably some child. [But] if we have the internet and we use it, there must exist responsibility, and I want to know who is liable in situations like this." Despite the indifference of law enforcement agencies, Sandra's fight for justice still continues today, and thanks to OWPSEE's intervention, she is now better informed about the offences such crimes can be registered under.



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