



Baseline study:
**Violence against women and gender based
cyber harassment, in context of ICT
penetration in Pakistan**

Bytes for All



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EXECUTIVE SUMMARY

This report is intended to provide insight into the use of ICT tools as a means of women empowerment, aiming to dissect their use in facilitating women in realising leadership roles in society. The report is meant primarily to tackle the issues of 'Violence Against Women' (VAW) and 'Gender Based Cyber Harassment' in Pakistan, and to address these issues by holding a discourse on the use of ICTs as tools for the betterment of this condition – by enabling and positioning women in roles where they can proactively work towards such a goal themselves.

To this effect, it is necessary that the penetration of popular ICT tools like cellular telephony and internet, with its complement of services, within the Pakistani society be studied. Before such an excursion, however, it is important that the limitations and issues, in both such an undertaking and in understanding and analysing the present situation, be identified, so that observations can be made accordingly keeping these in view. A study of such limitations reveals pitfalls in the current legal and social infrastructure, which not only hinder in the way of legally and socially addressing such issues but also encourage incidences of VAW and gender based cyber harassment by virtue of not maintaining checks and balances. It also further reveals that no mechanisms exist in the public and private spheres to duly highlight or report such issues.

These limitations notwithstanding, Pakistan is still positioned ideally to introduce ICT tools as a means of empowering women and consequently addressing VAW and gender based cyber harassment. This is so due to the high cellular telephony penetration, and a fast growing internet adoption rate, in the country. Pakistan also has a healthy presence on the various social media platforms in the country.

Despite this, unfortunately, no specific legislation and legal framework is in place in the country to address these issues, and the public sector as well as the private sector is ill equipped to catalyse change in society – no holistic reporting, support, or education programs exist. The programs that do exist are too small in scale to effect practical, large scale, societal change. Efforts, however, are underway by both the public and private sectors – welcome steps – to address these issues. These efforts too have been discussed.

Furthermore, a comparison has also been made between Pakistan's existing social and legal framework, and its reported incident rates of VAW and gender based social harassment, with that of several developing and developed countries. This is done as a comparative study between Pakistan and various other countries to ascertain Pakistan's condition with respect to those of other countries. This is also allows for a pattern to be drawn and an expected trajectory to be extrapolated identifying the results that efforts towards limiting these issues will yield. Importantly, this also serves as a means to temper expectations from such an ambitious undertaking.

Finally, the report makes recommendations highlight the need for proper legislature, awareness, education and outreach programmes, media and public visibility, an effective reporting and record keeping mechanism, and capacity building – both institutional and social. These recommendations are intended to facilitate the goal of empowering women

with leadership roles, as well tackling the issues of VAW and gender based cyber harassment. The report, in its concluding remarks, emphasises the significance of such measures in the face of prevailing circumstances and stresses the need for projecting expectations with due consideration for ground realities.

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INTRODUCTION

PROBLEM STATEMENT:

Whilst separate legislation exists in Pakistan on the issue of workplace gender based harassment (Protection Against Harassment of Women at Workplace Bill, 2010) ⁽¹⁾, and further legislation on cybercrimes is expected soon in the form of a redraft of the Prevention of Electronics Crime Ordinance (PECO), 2007, ⁽²⁾ there are no constitutional provisions addressing online gender based harassment, and 'violence'.

Consequently, there exists a legal loophole in the system that leaves an unaddressed gap between the stages of online sexual harassment and violence, reporting, and a suitable resolution. As such, issues like these quickly become a detriment to the social perception of technology and its use in the country, adversely affecting the participatory, contributing presence of Pakistani women in cyber space. Thus, the visibility, role, and empowerment of the Pakistani woman in a society increasingly reliant on digital media for communication are greatly reduced.

This is detrimental to the long term prospect of empowering women with both the rights awareness and the right tools, technological and otherwise, to become active members of society that can function and contribute under a legal and social framework that provisions adequate and equal human rights – irrespective of gender.

PROPOSED SOLUTION:

Since the problem is greatly exacerbated with little to no government interventionism, not only is effective legislation, and similar implementation, a prerequisite to fostering a change in social attitudes, but, more importantly, the civil society too needs to step up and play a proactive role against violence and gender discrimination against women taking place through digital media.

To this end, it is necessary that NGOs (Non-Governmental Organisation), civil society, and the media play an active role in highlighting the issues and enacting effective solutions. For this to succeed, it is necessary that an investigative process be carried out as a preliminary research phase, and the data – or lack thereof – be analysed, and effective proposals and remedial measures be put forward into practice so as to provide an enabling social and cultural environment, and to equip women with the technology tools and the awareness to not only address their own problems but to better their condition as well.

LIMITATIONS

Consequently, it is important that the limitations of such an approach and such an ambitious endeavour – in both the research phases and the strategy formulation – be realised beforehand so that an effective strategy can be formulated that makes due allowances for these shortcomings.

Primary amongst these shortcomings are the issues associated with both primary and secondary research and statistical data. No central data collecting body exists that keeps record of reported cases of gender victimisation against women cases and Violence Against Women (VAW) as a consequence of cyber harassment.

Also, the FIA (Cyber Crime Wing Division) National Response Centre for Cyber Crimes (NR3C), ⁽³⁾ which possesses the legal jurisdiction to dispense with such cases in due order, is the only government department purported to deal with issues of cyber security and harassment. However, it is at once both inaccessible to the layman user and is invisible to the public eye – not having the advertising budget that is prerequisite to increase public visibility, and promote a common, unified, one window, official reporting desk. More so, this is a problem because not only does the FIA, as a public institution, not have the public's trust reposed in it, but also because the reporting method is both convoluted and obscure. Unfortunately, the FIA also does not publish any annual or biannual statistics detailing the reported, or even the successfully handled cases. This reduces the transparency of the institution as a whole, and does not engender any goodwill or trust amongst the community that it is meant to serve – which such an initiative could otherwise accomplish.

Instances of cyber harassment can only be reported to the FIA through either email or fax, and there exist no physical kiosks or reporting cells to facilitate the victims. Aggravating this problem, the FIA also requires victims to step outside of their comfort zone, requiring not only detailed, and several physical addresses and contact details but also explicit, detailed, complete accounts of the events as well. This discourages those victims from stepping forward who would otherwise have done so if an element of anonymity was in place.

Furthermore, and of even greater concern, is the circumstance that no secondary or tertiary reporting mechanism is in place in Pakistan to report instances of cyber harassment. This poses a particularly grave concern because victims of gender based cyber harassment are often hesitant to report their concerns first hand. As a result, they often only confide in close associates who are better equipped to report, and legally process such concerns. However, the inability to do so – due to lack of proper procedure and protocol in place – means that such third parties who would otherwise willingly report the cyber harassment are unwilling and unable to do so due to a lack of proper avenues to achieve due reparation.

LITERATURE REVIEW

It is pertinent to note that as a consequence of the facts that there is no central data collection agency for sexual harassment taking place over the cyberspace in Pakistan, and that most victims are unwilling to report their plight, either themselves or through proxy reports, recorded incidents surface only sporadically. These instances are reported mostly by the print, or television news media. As such, countless, such cases of online victimisation go unnoticed, unreported, and unaddressed.

As such, what little statistics, and reports, do exist are grossly underreported. This limits the nature of the conclusions that can be drawn from the available data, as it is not factually representative of the grass roots level reality. Incidentally, anecdotal reports of such incidents – in small communal collectives – are readily available. These, however, are not reported, either by the victims or their first of kin, or recorded by either the press media, or governmental or nongovernmental organisations and agencies. Consequently, as a vehicle for drawing effective conclusions and extrapolating future endeavours and recommended courses of action, the available statistics present a challenging proposition in their practical utility in making effective recommendations.

Going further, the reports that are available are limited in the nature and scope of the details and issues they furnish. Being primarily newspaper clippings kept in file by recording agents, they primarily serve the purpose of recording, and are not comprehensive in nature courtesy of their source. As a result, neutral, unbiased, and detailed reporting of such incidents of victimisation, even where reported, cannot be found and assimilated into a central database. Consequently, since these reports are furnished to sell to a newspaper or television audience, the factual accuracy and veracity of their reported events may be called into question. Their use as a statistical analysis tool, therefore, is limited beyond an initial scope as a recording device.

DATA ANALYSIS

RESEARCH METHODOLOGY:

Unfortunately, as a consequence of the limitations, and the observations made during the literature review, as discussed above, the report does not employ a well-defined research methodology. Since the report needs rely on secondary research and there exist few relevant independent statistics, it undertakes an alternate exercise. The analysis, and the conclusions drawn thereon, relies on the lack of statistics to highlight key issues. Further, key related statistics, and relevant comparisons, are used to extrapolate recommendations, and observations and conclusions are drawn about VAW, gender based cyber harassment, and the use of ICTs to empower women, based on these.

ANALYSIS:

It is necessary, before a discourse is held on the available reported instances, that a clearer picture be realised of the current technology penetration in Pakistan. This is important as it provides with a representative picture of the current social climate with regards to technology adoption, and its use and penetration within the country. This allows for an insight to be gained on the direction that technological tools are beginning to take as participating factors in determining social attitudes. Moreover, these statistics also provide a perspective on the immediate need for women to effectively use technology implements to assert their role, and establish their position, to improve their quality of life in an increasingly dynamic, technology dependent society.

INTERNET:

The internet penetration in the country, for instance, stands at roughly 15% with an installed user base of roughly between 21 million to 25 million people, according to the Internet World Statistics, 2012 **iError! No se encuentra el origen de la referencia.**⁽¹⁴⁾ and the Internet Service Providers Association of Pakistan (ISPAK), 2012⁽⁴⁾ report – at least one in every 10 people in the country has access to internet or broadband facilities. In contrast, as recently as 2004, this figure stood at only 6.42% and 10.5 million people respectively.

These ~ 21-25 million people are served by 50 Internet Service Providers (ISPs), of which 15 are operational and actively provide service to end users. Of these, four possess their own Domestic Fibre Backbones, PTCL, Wateen, Mobilink, and Multinet, whilst one ISP provides a Fiber To Home Network, Nayatel.

The ISPAK also reported 15 million users accessing the internet for various services through the EDGE and GPRS cellular infrastructures. Unfortunately, no further details were published.

However, from a sample size of 930 internet users, broadband and otherwise, a survey conducted by the Pakistan Institute Of Public Opinion (PIPO) in 2010, ⁽¹³⁾ where the respondents could check more than one option, found that 16% of the user base uses the internet to access social media websites whereas 62% and 55% of all the user base uses the internet exclusively for either electronic mail or chatting respectively – further emphasizing the use of technology as a communication tool. The 2010 Media Report by the same organisation also found that the internet users, at 81%, were predominantly male in the country. Similarly, a large majority of the internet users, 68%, lived in urban centres.

CELLULAR SERVICE:

Mobile and cellular telephony services in the country, on the other hand, cater to a far larger audience in the country – and the market is also served by fewer telecommunication service providers. In due perspective, cellular service penetration stands at 69.8% with 123.5 million users as of November 2012 according to Pakistan Telecommunication Authority's (PTA) **iError! No se encuentra el origen de la referencia..** Of these, according to figures published in the 2010 'Mobile Life Pakistan Report' by the Gilani Research Foundation ⁽¹³⁾, 58% mobile phone customers are urban based whilst the remaining are rural customers. Similarly, 53% of the user base falls between the age bracket of 18-34 years whilst 45% belong to the age bracket of 35-49 years. This is indicative of a relatively young, technology savvy user base that is adaptable to the changing demands of social interaction in a fast paced, increasingly technology dependent society.

Moreover, of these 123.5 million users, according to the PIPO 2010 Media Report, the mobile phone ownership breakdown – based on gender – was as follows: Men predominantly own cellular service SIM cards at 72% whilst the remaining SIMs have been registered by women. Whilst a disparity exists in the ownership of SIM cards, access to mobile service, according to the 2010 'Mobile Life Pakistan Report' by the Gilani Research Foundation, enjoys relative parity. Of the registered user base in the sample size, women comprise 48% of the total makeup with men making up the remaining 52%. This inconsistency between ownership and access to cellular service is indicative of a phenomenon where cellular SIM cards are purchased and registered by male members of the community for use by their female counterparts.

In monetary terms the industry earned revenues of roughly PKR 72.7 Billion according to the December Quarterly Report 2011 by the PTA, and was led, amongst five market players, by Mobilink with a market share of 30%, and trailed by Zong, with a market share of 14%. It is important to note here that these revenues were brought up by a contribution from an aggregate total of 67.3 billion SMS messages generated in the country during the 3 month fiscal quarter. Furthermore, according to the Mobile Life Pakistan Report, 2010, by the Gilani Research Foundation, ⁽¹⁵⁾ communication via SMS does not constitute the predominant use case scenario for mobile phones in Pakistan. In

the survey, where respondents were allowed to pick more than one answer, 92% responded with using their cell phones for phone calls whilst only 61% responded with SMS.

All these factors are indicative of high cellular service penetration in the country, and expounds on the high service volume generated by the Pakistani mobile phone users. More encouragingly, the male to female ratio of cellular telephone users stands at ~ 1:1. This is over a relatively even spread of both rural and urban spread, and, more significantly, over a spread of both young and middle aged users. This means that cell phone usage amongst Pakistani women, in both rural and urban settings, as well as over a wide spread of ages, is comparable with that of the male population. In similar vein, the high volume generated, especially of SMS messages, indicates the capability, and the active participatory role being played by women, in communicating through modern technological tools and using such tools in every day context.

SOCIAL MEDIA:

While no dedicated local social media platforms exist in the country, the Pakistani internet user base is actively involved with global social media platforms. However, small local online social communities do exist in Pakistan, but they are small – and their statistics are not published except those available via Google Analytics, or their Alexa rankings. Some examples of such communities are PakGamers, PakPassion, Defence.Pk, and Rozee.Pk, these are ranked 246, 1103, 338, and 40 in Pakistan respectively on Alexa ⁽¹²⁾.

Globally, in 2012, the number of Pakistani Facebook users, according to SocialBakers ⁽¹⁶⁾, a social media research firm, touched 8 million for the first time; this puts the overall Facebook penetration in the country at 4.34% of the total population. On the other hand, the Facebook penetration amongst the online population is higher, standing at approximately 36% of the online Pakistan population. Pakistan's Facebook population, like its online population, is predominantly male, with 79% of the population being male whilst 31% of the population is female. Moreover, 75% of the Facebook user base falls in the age bracket of 18-34 years of age.

Unfortunately, no such detailed statistics besides the user base exists for other popular social media platforms in the country. Twitter, according to BSolutions – another such firm ⁽¹⁸⁾, has a user base of roughly 1 million users, while LinkedIn has a user count approximating 1.3 million users. This puts the Twitter and LinkedIn penetration at negligible in the total Pakistan population. This figure stands at 4.5% and 6% respectively when compared against the total Pakistan internet user base. No gender or age breakdowns exist for these social media platforms. Moreover, no statistics exist for other such popular platforms like Google+, YouTube, Pinterest, Instagram, Flickr, Reddit, et cetera.

It is of note, however, that for the social platform – Facebook – for which statistics for Pakistan have been compiled – the Pakistani figures do not correspond with the international trends. Globally, according to statistics published by Google Ad Planner ⁽¹⁰⁾, Facebook and Twitter are both female dominated social platforms at 58% and 62% female populations respectively. Youtube, LinkedIn and Reddit, on the other hand, are

predominantly male communities at 54% for both Youtube and LinkdIn and 74% for Reddit.

REPORTED CASES:

Unfortunately, due to the limitations inherent to the system, there is an acute, chronic under reporting of cases of sexual cyber harassment. Therefore, because the data samples are unrepresentative and characteristically small as a result, they do not provide the needed insight into the breakdown of the instances of gender based cyber harassment taking place within Pakistan. However, frequent instances of reported cases can be found in the television and press media. Unfortunately, records of these are not kept, and the media reporting is also not neutral and independent in all cases.

Consequently, what little reported evidence does exist is not enough to substantiate discernible social patterns dictating the cyber harassment taking place. As a result, due to sporadically reported cases, it poses a challenge to draw recommendations on the basis of the collected data, since the sample size is effectively too small to conduct a quantitative analysis on. Subsequently, any qualitative analysis taking place on the subject also becomes limited in its scope and the issues that it is capable of addressing.

NR3C:

Nevertheless, only one official agency exists in the country which reports such incidents. The FIA NR3C ⁽⁶⁾, which has legal jurisdiction over such cases, also records reported instances of cyber harassment. However, only 60 cases have been recorded with the NR3C in the ten years since 2002. Furthermore, since the NR3C also deals with issues of cyber aggression like hacking, and piracy, and monetary concerns like internet scams and fraudulent activity, the number of reported cases pertaining to cyber harassment is expected to be even smaller – since no breakdown of this figure is given.

BYTES FOR ALL:

Bytes for All (B4A), an NGO focused on using Internet Communication Tools (ICTs) for social development, also collects and reports these figures for various countries through its Take Back the Tech! MapIt ⁽¹⁹⁾ initiative. The Take Back the Tech! initiative too has only 16 reported cases in the one year period from July 2012 to date. Of these, only 11 are verified, whilst some are common with the cases reported to the FIA NR3C as well. Regrettably, not all the reported cases are instances of cyber sexual harassment, with some being incidences of social aggressions taking place against women outside of the digital sphere. Furthermore, several of these reports are derived from newspaper clippings and discuss cases of sexual harassment taking place against a collective of people instead of reports of individuals. As such, gaining an understanding of the nature

of cyber gender based discrimination and harassment from the available data is an unfeasible exercise.

However, the few reports available indicate a trend towards using identity theft, stalking, harassment through intimidation, and blackmail. Unfortunately, the sample size for the available data is too small to draw meaningful extrapolations from these qualitative identifiers besides enumerating some of the possible cyber gender based harassment means in employ in Pakistan.

ISSUES

Aggravating the problem even further, there are no laws in place in the country that address the issues of cyber harassment and its causal violence. Though the Protection Against Harassment of Women at Workplace Bill, 2010, is already in place in Pakistan, gender based cyber harassment is not within either the scope or the precincts of the issues it defines and attempts to address. Similarly, the redraft of the Prevention of Electronics Crime Ordinance, 2007, is also due within the next few years – despite having been redacted and withdrawn twice, the latest in November 2012. However, issues of cyber harassment, online gender discrimination and sexual harassment through technology, fall outside the scope and vision of the PECO as well, as it deals primarily with concerns that are monetary, piracy, and fraud related in nature, instead of rights violations.

Also of distress is the fact that no dedicated or central reporting body exists in Pakistan to handle, under existing laws, the problems that are faced by victims of online harassment. The police is neither equipped, nor provisioned sufficiently in technical expertise by the government, to handle cases of such nature. Moreover, the police or FIA culture, primarily, and the judicial system, secondarily, in the country is not conducive to reporting the rights violations as the prerequisites as well as the environment within these systems is neither favourable nor encouraging for victims of sexual, or gender based harassment – online or otherwise.

Compounding these problems, most women in Pakistan are not aware of their basic human and cyber rights as individuals living in an age where the two have become increasingly relevant and interconnected. This means that these individuals oftentimes lack the initiative to assert themselves and their rights whilst engaging in public and social interactions online. This also means that, as a consequence, they are vulnerable and are exposed to potential cyber harassment – by virtue of lacking the willingness and awareness to recognize their rights as individuals on an equal footing.

Not only does this mean that women are a high risk group, susceptible to online discrimination, but it also means that they are at a greater risk of being ostracised socially. Unless they are not equipped to assert, and protect, their rights as active, contributing members of the social and cyber sphere themselves, change cannot be enacted. A change in the attitudes of the victims has an equally significant and relevant role as engendering and fostering a change in the social attitudes and the

implementation of effective legislation does in the efforts to build a sustainable social dialogue in cyber space with women playing a responsible, proactive, contributing role.

EXISTING INSTITUTIONS AND EFFORTS

Fortunately, outside of the issues raised by a lack of effective legislation, its implementation, and despite the lack of effective infrastructure, institutions and the social structures pre requisite to supporting such initiatives, a vibrant community already exists in Pakistan that is actively trying to address these issues at a geo and socio-political level.

This community, comprised primarily of NGO's, is busy actively engaged in community based programs addressing individual niches aimed at providing women with rights awareness, empowerment through different tools – technological and otherwise, and by provisioning for the institutional support that is otherwise absent in the public sector. This institutional service comes in the form of counselling, hotlines, facilitation in understanding and pursuing the available legal courses, et cetera.

NR3C:

The NR3C ⁽⁶⁾ arranges yearly training workshops meant to spread awareness and the technical knowledge to keep digital information, and privacy, safe for government, educational, and some non-governmental institutions. Fortunately, where the FIA NR3C might provide inadequate, or lacking, facilitation in terms of the legal course of actions it allows, and the ease with which they can be pursued, various NGOs are already attempting to fill in this gap.

ROZAN:

Rozan ⁽²¹⁾, an NGO focused on VAW and sexual abuse, for instance is actively engaged in the capacity building of communities to better deal with instances of VAW, and to put a stop to it. Their efforts not only include programs aimed at encouraging communication, but also focus on the re-sensitization of the issue. Capacity building of institutions, communities, and individuals, both male and female, in responding towards VAW through workshops, and grass roots level efforts, is one of the core foci of Rozan. Rabta: Police sensitization and capacity building, and Zeest and Humqadam: sensitization, capacity building, and awareness programs for women and men respectively, are some examples. Rozan also runs a counselling hotline, as well as another program meant to address the issues of Child Sex Abuse (CSA).

AASHA:

AASHA (Alliance Against Sexual Harassment) ⁽²²⁾ is a consortium of likeminded women's rights NGOs, like Action Aid Pakistan and Bedari, also working towards similar goals. The focus of AASHA is emphasizing and fostering better work conditions and environments for women in professional spheres of life. To this end AASHA keeps track of the relevant legislation already present within the constitution, and works to improve its visibility, and implementation. To this end the alliance has not only drafted a framework for a workplace code of conduct that can be adapted into different professional and workplace settings, but has also published research relevant to their focus issue. AASHA also runs rights awareness, empowerment and sensitization workshops with the workplace as a contextual reference.

BYTES FOR ALL:

Finally, Bytes for All ⁽²³⁾, another NGO, is also working towards empowering women by providing the women already in positions of representation and leadership with the tools and awareness to take proactive measures against VAW and cyber harassment. It also similarly attempts the same at the grass roots level by attempting to directly engage with the victims, by providing them with a social visible platform where they can report cases of cyber sexual harassment. The various workshops held for women journalists, and other professionals from relatively marginalised geopolitical regions, and the Take Back the Tech! initiatives, respectively, are examples of just this. Bytes for All also focuses on holding meaningful social discourse highlighting the need for a cyberspace that addresses issues of censorship, privacy, security, transparency, and governance. Its other programs, Privacy Rights In Asia, Open Net Initiative, et cetera, are just such exercises.

Unfortunately, whilst many such small independent organisations are working towards realising a social framework where women play proactive, leadership roles in establishing and maintaining their social and political relevance, the net covered by these organisations is very small. NGOs, due to limited economies of scale, have yet been unable to address the problem of cyber harassment, and the ensuing VAW holistically. In such a scenario, where the public penetration that such civil and social platforms enjoy is limited, there is need for the government to step up and play a facilitating role to realise a society possessing a cyber-sphere that does not result in a violent fallout, either on the internet, or in real life.

CONTEXTUAL COMPARISON

It is important to identify here that Pakistan is not alone in facing these issues. Both the developed western and the developing world are faced with these issues, in varying degrees of gravity, as well. Where comprehensive legislation and support infrastructure exist in the developed countries, it is lacking in those that are still developing. However, despite this disparity, both are faced with VAW and gender based cyber harassment. The primary difference being that the number of reported cases between both differs.

LEGISLATION:

DEVELOPED COUNTRIES:

Most developed countries have holistic legislation addressing both VAW and gender based cyber harassment. The USA has legislation addressing cyber bullying both at the state and federal levels, similarly, state and federal level legislation also exists addressing VAW in various forms. The primary federal legislation against VAW, Violence Against Women Act ⁽³¹⁾, has only recently gone out of effect – though other legislation, like The Family Violence Prevention and Services Act ⁽²⁹⁾, against domestic violence still exists.

Similarly the EU has an umbrella legislation, the Budapest Convention on Cybercrime ⁽²⁸⁾, addressing cyber sexual harassment, of which Japan, China, and Canada are also signatories. VAW too is covered by an umbrella legislation, whilst also being addressed by the legislatures of individual member states. The Charter of Fundamental Rights and the Daphne programmes ⁽²⁶⁾ are both umbrella legislations dealing with VAW. The Protection From Harassment Act, (1997) ⁽²⁷⁾, is the country specific legislation for VAW for Britain.

DEVELOPING COUNTRIES:

In contrast, legislation is poorly, if similarly, effected in developing countries, in similar vein with Pakistan. India, like Pakistan, lacks definitive legislation addressing cyber harassment and VAW. Cyber gender based harassment is addressed in part by the Information Technology Act, 2000 ⁽²⁵⁾. VAW is addressed by the 2005 Protection of Women from Domestic Violence Act ⁽³²⁾. Similarly, in Malaysia, cyber harassment is addressed by the Computer Crimes Act, 1997, ⁽²⁵⁾ and VAW is covered by the 1994 Domestic Violence Act ⁽³³⁾ among others. Brazil, on the other hand, does not have a cyber-harassment law in place yet ^{(35),(34)}, though VAW is addressed in the constitution under the Law No. 10.886/2004 ⁽³³⁾.

REPORTED CASES:

Unfortunately, a disparity in the legislative and social infrastructure is not also indicative of a disparity in the incidences of VAW and cyber sexual harassment between the developed and the developing worlds. According to the 2011 statistics compiled by the UN Statistics Division ⁽³⁶⁾, there is a minimal spread, less than 40% between the countries with the least and most percentage of VAW victims, and an even distribution, with developed and developing countries equally represented. Germany and Denmark have higher incident rates than Egypt, and Australia has an incident rate similar to that of Mozambique.

Unfortunately, no statistics exist for gender based cyber harassment; however statistics for cyber harassment are maintained – albeit only for the developed countries, no comprehensive statistics exist for developing countries. The statistics available, for developed countries ⁽³⁷⁾, however also demonstrate a high incident rate for cyber harassment. Poland, according to the European Commission Survey, November 2009, reported the highest percentage of cyber harassment, standing at 52%. This was followed by Belgium at 34.3%, while the figures reported for Germany stood at 14.1%. Germany, Belgium, and Poland fall in the top 10, 20, and 40% of the 2011 HDI ⁽³⁸⁾ respectively. It is, however, also likely that the percentage of reported cases in these countries is higher when compared with those of developing countries due to the improved legal and support infrastructure available in these countries.

Consequently, while the availability of support infrastructure, and appropriate legislation does differentiate between the developed and developing countries, this difference does not necessarily translate into a lowering, or reduction of instances of cyber harassment or VAW.

RECOMMENDATIONS

For such ambitious goals to be realised, it is necessary that an appropriate holistic social framework be installed and implemented, covering not only legal aspects of cyber sexual harassment and VAW but also putting the initiative in the hands of women specifically, and the society at large, to improve the current, prevailing situation. It is important here that it be realised that putting in place the necessary support infrastructure and legal framework will not necessarily translate into a lowering of the incidence rates of gender based cyber harassment and VAW as is observable in the examples of developed countries.

It is for these reasons, in large part, that NGOs and members of the civil society with core foci on specific, contextual issues remain unable to address such problems – because their focus, and strategy development processes are geared towards underlining smaller, narrower problems. What is needed, in such straits, is for an involved approach, on the part of both the government, and the civil society members and organisations, which addresses the issue across broad spectrums from the ground up – from the grass roots levels to the constitutional, legal framework.

LEGISLATION:

The first step towards this end would be putting an appropriate legal framework in place. This would require proactive lobbying on the part of the civil society to push the law making body – the parliament – towards working on legislation specifically targeting cyber gender based harassment and VAW. Whilst the Protection Against Harassment of Women at Workplace Bill, 2010, attempts to address one facet of gender based harassment, both cyber harassment and VAW outside of the work place are beyond its legal scope. Though separate legislation will be required to address VAW, the issue of cyber sexual harassment can be addressed by making it into the yet to be finalised PECO's salient features. Unfortunately, both VAW and cyber sexual harassment as issues fall towards the bottom of the priority list, and legislation addressing them does not serve the vested interest of any public or political entities. Moreover, the redraft of PECO too is languishing on the parliament's priority list. As such, the civil society and the media outlets in the country need to highlight these issues as public, political, and social necessities to encourage the polity of the country to take up these issues more seriously as matters of political goodwill to gain favour with the masses.

MEDIA CAMPAIGNING:

To this effect, it is also necessary to launch effective media campaigns – spanning social, television, and press media – highlighting VAW and cyber sexual harassment as socially relevant issues and increasing their public visibility, to provide the necessary political

stimulus to these causes. This is important because both VAW and cyber harassment have low public visibility, and their perception as social issues is low profile. Such media campaigns, in the vein of the initial 'Khamoshi Ka Boycott' campaign ⁽²⁴⁾ by Djuice, are necessary to initiate an involved public discourse on the relevance of issues like these, with direct input from those effected, and the masses at large. With increasing public visibility, awareness about VAW and cyber harassment will mean that not only are the high risk groups aware of their rights, but those victimising are also aware of the personal, social and political repercussions of their acts.

This is an important, necessary first step towards not only empowerment but also towards catalysing a grass roots level change towards greater social responsibility and rights uptake. Furthermore, media campaigning also introduces due political pressure for the effective drafting and implementation of legislation. NGOs already involved in furthering various facets of these issues are better suited for initiating such media campaigns as this provides better public visibility to the programs already being run them, and helps furthering the efforts already initiated by them.

CAPACITY BUILDING:

It is also important that whilst media campaigns are being run, and the push for more comprehensive legislation is being made, that capacity building also remain a core focus in the push for limiting instances of VAW and gender based cyber harassment in Pakistan. To this end, some of the work already being carried out by organisations like Bytes for All and ROZAN needs to be carried on. This includes Bytes for All's initiatives at educating women in socially responsible positions, like journalists, on the use of social media as a tool furthering freedom of speech, whilst protecting their respective identities. Similarly, this also includes ROZAN's Zeest and Humqadam programs, which focus on fostering a socially responsible attitude towards community building through outreach, awareness, and empowerment.

This capacity building, however, needs not be done at a community level only. Institutions need also be equipped to foster attitudes encouraging safer communities, in workplaces, social collectives, and otherwise. Moreover, institutions need also be equipped to handle instances of cyber sexual harassment and VAW. ROZAN's police training program Rabta, meant to build the police force's capacity to handle cases of domestic, and sexual abuse, is an example of the type of initiatives required to improve public and private institutional capacity to handle VAW and cyber harassment. NR3C's workshops also outline similar attempts at public and private sector education.

Capacity building is also important in the eventuality of legislation addressing these issues being drafted. With legislation expressly outlining the issues of cyber gender based harassment and VAW, it will become necessary for the relevant institutions, like the police, the judiciary, et cetera, to build the capacity to deal with cases of such scope. This means building the infrastructural, administrative, social, and institutional capacity to deal with such cases. Providing such training, while the job of the incumbent government, also provides NGOs with an opportunity to establish public private partnerships that broaden the scope and reach of their efforts.

At both the community and institutional level, this is imperative because not only does this put the initiative in the hands of women to play proactive roles in protecting and furthering their freedom of rights, it also provides them with leadership and guiding roles, and the tools, in community scenarios expanding rights awareness, and empowering fellow women with knowledge of the correct use of available tools. Furthermore, institutional capacity building provides the right infrastructure to facilitate and foster community based capacity building by putting in place effective social and legal checks to ensure safer communities, both digital and otherwise.

GRASSROOTS LEVEL OUTREACH:

It is also important, where capacity building is a prime focus, that efforts be initiated to improve grassroots level outreach to improve rights awareness and the accessibility and knowledge of pertinent technological tools for women in marginalised and societal and political welfare. Moreover, this transforms the role of women in these societies from a submissive to an assertive one.

To this effect, such educational programs need to be informal, community driven initiatives that maximise the emphasis on traditional, indigenous modes of imparting awareness and the provisioning of tools. Such programs also need to work within the limitations of local customs and traditions to maximise their outreach.

VISIBILITY, AND REPORTING MECHANISM:

While capacity building, awareness, outreach, and media campaign programs are important initiatives in the drive to bring down VAW and gender based cyber harassment, it is also important that the visibility of reported cases and the reporting process be made easier. This involves introducing a one window reporting mechanism for legal filing of complaints. It is also necessary that independent reporting and data collection agencies be set up which facilitate the reporting process. The Take Back the Tech! MapIt initiative is an important first step, however, initiatives like the MapIt need to be advertised to the masses, as an easy, visible, anonymous means of having their plights registered, so as to widen the target net, and encourage victims to step forward with their stories.

Furthermore, it also necessitates that media visibility of reported cases remain high while maintaining a high level of anonymity that encourages those victimised to come forward with their cases. Not only are measures like these intended to encourage the victims to register their reports, but they also provide a support structure better allowing those victimised to cope with their respective plights. This in turn, allows these women to return to productive, social, and cyber social roles more easily. Moreover, they facilitate the taking of action against those victimising courtesy of an easier, more transparent reporting process.

CONCLUDING REMARKS

It is necessary that the dynamics of Pakistan be understood before any policy formulation takes place to root out the VAW and gender based cyber harassment taking place within the country. Similarly, it is also important that key infrastructure, both legal and social, be implemented to aid in the transition from today's society into one where women are empowered with the tools to better their conditions and to take on leadership roles in their community. To better accomplish this, outreach, educational, awareness, and empowerment programs need to be instituted to improve the social attitudes and perceptions towards these problems.

These programs should aim to target discourses with entire communities whilst not losing their focus on women, instead of only aiming to address women. Furthermore, a greater emphasis also needs to be laid on capacity building, both at institutional and community levels, to better ensure that such ambitious goals are realised. Whilst Pakistan has sufficient penetration of technological implements in daily life in its population, women, and the community at large, will need to be equipped with knowledge of the proper utilisation of these tools to better realise their social and cyber rights for such programs to succeed. Moreover, to accelerate this process, the accessibility to such tools, where low, need also be improved.

Finally, while concrete steps and initiatives are required to improve the reporting, support, and legal infrastructure to help tackle VAW and gender based cyber harassment, it is also necessary to temper expectations. Developed countries, despite having necessary infrastructure in place, have had limited success in confronting these issues – as this pertains to primarily individual, and secondarily social, attitudes and perceptions towards these problems. As such, with Pakistan's lacking infrastructure, such exercises are high investment and low ROI initiatives. They need to be accepted and treated as such, and expectations for change thus necessitate being tempered accordingly.

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