TF GBV

Preliminary findings

Technology-facilitated Gender-Based Violence (TF GBV) in Lao PDR

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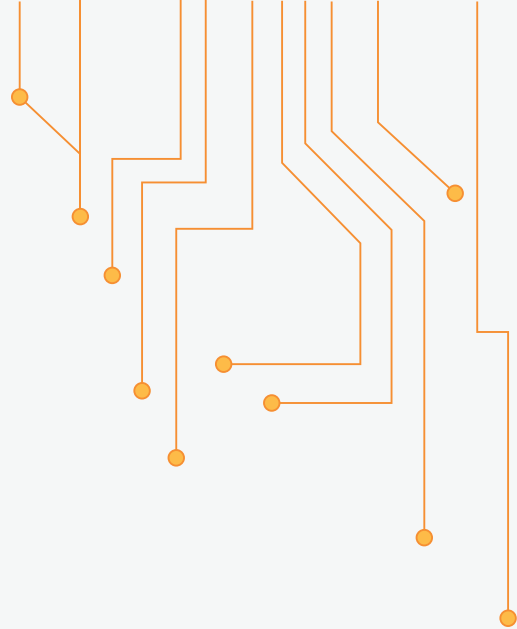
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TECHNICAL ACKNOWLEDGEMENTS

TECHNOLOGY-FACILITATED GENDER-BASED VIOLENCE IN LAO PDR: PRELIMINARY FINDINGS

Introduction

Technology-facilitated Gender-Based Violence (TF GBV) has increasingly become an issue of significant concern around the world and in the region. Globally, 38% of women have experienced online violence, and 85% of women have witnessed online violence against other women.[1] In the Asia Pacific, 80% of women have either witnessed, heard about or personally experienced violence. [2]

Background

There is very limited data on TF GBV in Lao PDR, however cases of TFGBV have been reported. One of the goals of the 2nd National Plan of Action for the Prevention and Elimination of Violence Against Children (2021-2025) is to prevent and respond to online violence, including child online sexual exploitation and abuse. To understand how this type of violence against women and girls manifests in Laos... UNFPA in collaboration with the National University of Laos, Faculty of Education, conducted Focus Group Discussions on TF GBV with young men and women. Further FGDs were then conducted with diverse groups, as well as Key Informant Interviews (KII) in collaboration with Lao Women's Union and other GBV frontline responders. The participants of the FGDs were made up of men, women, of diverse ages, diverse ethnic groups, diverse dis/abilities, and diverse sexual and gender identities. All FGDs and KIIs were confidential and trauma-informed,

Objective and expected outcome

As TF GBV increases around the world, and studies emerge within the region, there remains a lack of published data from Lao PDR. The objective of these Preliminary Findings is to shed light on the nature, severity, impact and help-seeking behaviours of people in Laos.

It is expected that further research, evidence generation and data collection will be conducted as a result of this publication, as well as galvanizing government, development partners and civil society to prioritise this issue for investment and growth.

What is technology-facilitated Gender-Based Violence (TFGBV)

Technology-facilitated gender-based violence (TF GBV) is "an act of violence perpetrated by one or more individuals that is committed, assisted, aggravated and amplified in part or fully by the use of information and communication technologies or digital media, against a person on the basis of their gender."[3]

The terms "digital violence", "cyber violence" and "online violence" are also often used interchangeably. However these phrases do not capture the gendered nature of this violence, or the scope of the violence to include the use of all technology.

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1   The Economist Intelligent Unit, "Measuring the prevalence of online violence against women", 2021.
2   The Economist Intelligent Unit, "Measuring the prevalence of online violence against women", 2021.
3   UNFPA, Technology-facilitated gender-based violence: Making All Spaces Safe (2021). Available at:
https://www.unfpa.org/publications/technology-facilitated-gender-based-violence-making-all-spaces-safe

What drives TFGBV to happen?

About 1 in 3 women that have been in an intimate relationship in Lao PDR have experienced violence (physical, sexual and/or emotional),[4] and as the world continues to evolve and increasingly rely on the use of technology and online platforms, so too does the expansion of spaces through which violence can be perpetrated.

TFGBV shares common characteristics with other forms of gender-based violence:
> » It occurs in all societies worldwide
> » It is gendered and rooted in gender inequality, disproportionately impacting women and girls in all their diversity
> » It can have severe impacts on the health, well-being and lives of survivors.

However, TFGBV is unique, because it can be:
> » Anonymous
> » Perpetrated at a distance
> » Easily propagated through the internet
> » Automated
> » In existence in perpetuity
> » Perpetrated with impunity.

Addressing TFGBV, as a growing area of critical concern, is no longer negotiable.

Summary of findings

The overwhelming majority of the findings indicates that there is a gender-based component of technology-facilitated violence—women, young women and adolescent girls are far more likely to be targeted. Those with intersecting marginalised identities are also at a higher risk, including women with disabilities, LGBT community, diverse ethnic groups, low-income and migrant women. Women in public facing roles were also disproportionately impacted. However, men can also be targeted, especially ethnic men, men with diverse sexual or gender identities or men who otherwise do not prescribe to societal expectations of how men should look or behave.

The data shows that TFGBV frequently takes place on a continuum in which actions that start in the digital space can lead to offline GBV perpetration and vice versa. TF GBV is predominantly perpetrated by men—both Lao nationals and foreigners—and has a significant impact on victim-survivors. Of most concern is the use of targeted social media recruitment for forced sex work and trafficking, image-based abuse, controlling and monitoring behaviours in relationships, and cyberobsessional pursuit.

Most technology users are not aware of existing laws and institutions that can help them in Lao PDR, and instead respond to experiences of TF GBV by taking personal actions such as deleting comments or blocking accounts, and seeking support from family and friends.

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4   National Survey on Women's Health and Life Experiences 2014- A Study on Violence against Women.

What are the consequences of TFGBV?

TFGBV is a violation of a person's privacy, dignity, autonomy and rights. The impacts of TFGBV are documented as being as serious as other forms of physical and psychological violence, although not often recognized as a form of violence by institutions or the victim-survivors themselves. In Lao PDR, the impact and consequences for victim-survivors of TFGBV ranged from temporary feelings of frustration, discomfort, and feeling unsafe, to tremendous and long-term impact on the physical and mental health of victim-survivors. These feelings were not confined to the online sphere, but also affected their "real life" as well.

Social impacts in Lao PDR included isolation, reduced engagement online ("self-censorship"), reputational harm, and ongoing concern about how their reputation or how others will perceive them. Other social impacts of TF GBV extended to the marriage and relationship context, including having to submit to coercive romantic relationships or forced marriage. Global studies also document broader consequences for society and the economy, including job losses, reduced productivity, increased health, legal and social costs and a deepening of societal inequalities between women, men and vulnerable groups.
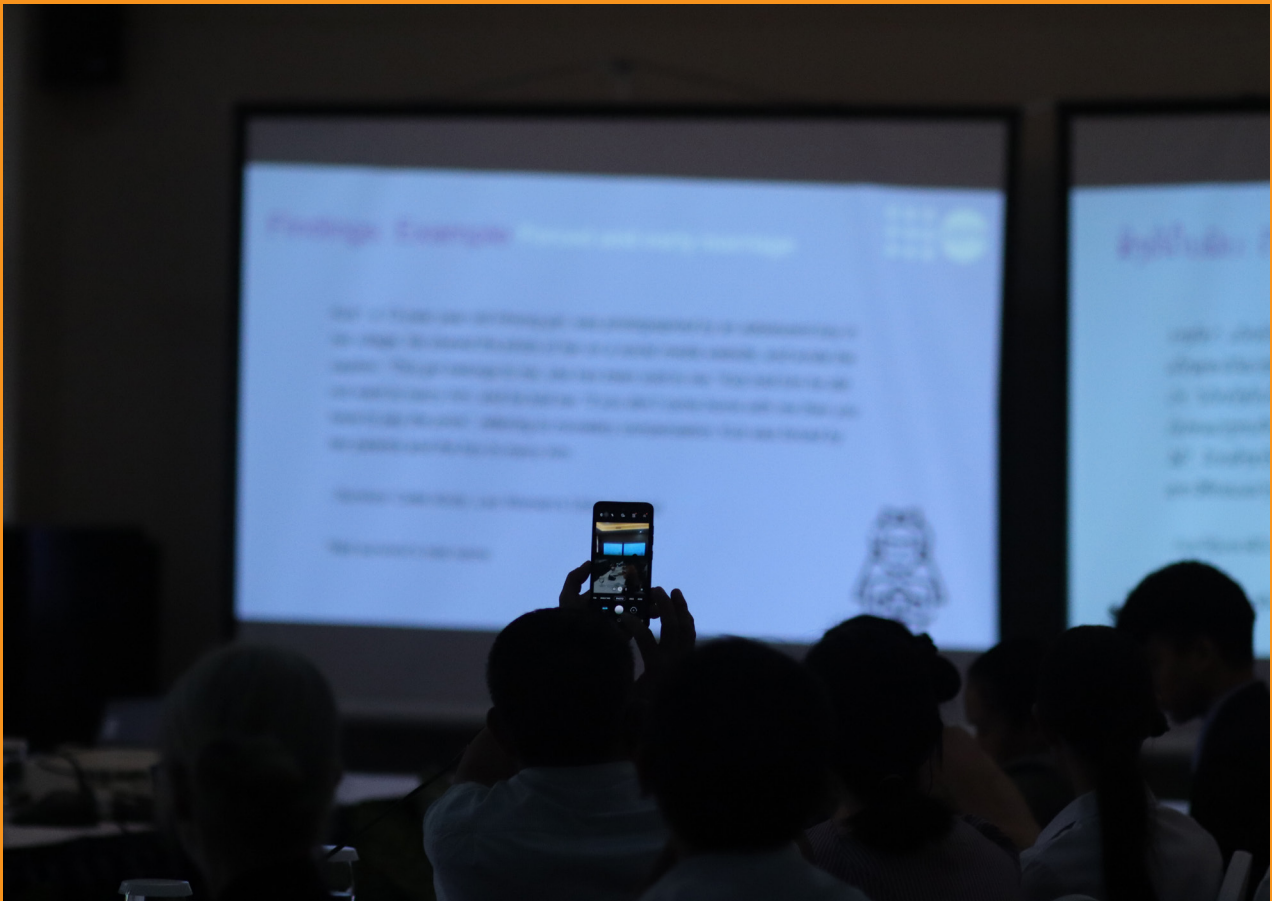
What type of TF GBV is happening in Laos?

	TYPE	BEHAVIOURS IN LAO PDR	PERPETRATORS/ TARGETING	EXPERIENCES IN LAO PDR
CYBEROBSESSIONAL PURSUIT	*Online sexual harassment*	Online sexual harassment involves using technology to repeatedly contact another person, to give unwanted sexual attention or try to sexually coerce someone. In Laos this included repeated date invitations via messenger, sexual solicitations from strangers, and persistent texting despite being told to stop.	Male strangers and acquaintances (including foreign men) targeting young women	*"I have received a lot of random messages from strangers in [Facebook] messenger inviting me to go on a date or wanting to meet me. Even though I don't reply and ignore them, they keep on sending messages to me."*
	Cyber stalking	Use of technology to stalk, track or monitor a partner's activities, location or behaviours.	**Males** targeting their **female partners** in romantic relationships	*"My friend's partner tried to stalk her everywhere and take her photo because he thinks that she's unfaithful."*
SEXUAL ABUSE	*Limiting, monitoring or controlling use of technology*	Limiting, monitoring or controlling the use of technology as a form of control, manipulation, and abuse; this can often be an extension of coercive control in a romantic or domestic relationship. In Laos, the practice or expectation of couples sharing their passwords with their partners for monitoring purposes was normalised by young people generally	**Males** targeting their **female partners. Young women in intimate relationships** are at a disproportionate risk.	*"[My friend's] partner asks for her social media password, if she declines, her partner will get mad at her and will not want to continue their relationship."*
	Recruitment for forced sex work and trafficking	Social media is used for recruitment for sex work, forced sex, trafficking and other sexual exploitation. Many of the experiences relate to recruitment or trafficking to entertainment areas where Laos borders Thailand, and Myanmar	**Recruiters** targeting **young women in their early 20s that may be seeking prospective employment** opportunities, and **migrant workers**.	*"Another bad thing about social media is that they [foreign recruiters] are trying to lure women with good job, huge salary, but in reality it's just for human trafficking. There is a case I know of where a woman got gang raped by five men and they cannot escape from that loop".*

SEXUAL ABUSE	TYPE	BEHAVIOURS IN LAO PDR	PERPETRATORS/ TARGETING	EXPERIENCES IN LAO PDR
	Forced Marriage	Some ethnic communities are evolving their practice of early marriage to include the use of technology, including forced marriage of children.	**Adolescent boys and men** targeting **adolescent girls living in remote and diverse ethnic communities.**	**Case study: Forced and early marriage** *Kub*, a 13-year year old Hmong girl, was photographed by an adolescent boy in her village. He shared the photo of her on a social media website, and wrote the caption: "*This girl belongs to me, she has been sold to me*." When Kub refused to marry him, the boy physically abused her and videotaped it. Kub was forced by her parents and the boy to marry him.* *Not the survivor's real name
	Image-based abuse (IBA)	Images or videos being used online to coerce, threaten, harass, objectify or abuse, particularly sexual abuse involving at least one of the three behaviours: 1) requesting 2) taking, or 3) sharing ...sexually explicit images without consent.	**Men** targeting **young people** of all genders and sexual orientations, however **young women and LGBT people** are disproportionately impacted. IBA is perpetrated by male strangers, people known, romantic or sexual partners.	Requesting: "*[My male boss] keeps commenting on my posts on Facebook, he texts/ calls me on Messenger, asks me to hang out, many times…[when] I decline, he gets mad at me. Sometimes, he asks me to send him a photo of my penis, it's like power abuse.*" Taking: "*For women and girls, the video clips are filmed whilst having sex or naked – sometimes with consent and sometimes not- and being used as blackmail. They seek our help* [at Lao Women's Union] *to stop these clips circulating.*" Sharing: "*I am a part of LGBT community, and one time I received a video call from a stranger and I answered out of curiosity, what I saw was a white old man showing his genitals*".

TYPE	BEHAVIOURS IN LAO PDR	PERPETRATORS/ TARGETING	EXPERIENCES IN LAO PDR
Gendered Defamation	The public release of false information that damages a person's reputation, often targeting women and women's sexuality.	**Males** targeting their **female ex-partners** in romantic relationships	"...he posted my picture stating bad things about me. And I feel like it is TFGBV because he thinks I'm a girl and he can do such things to me...it affects my real life as well, as the people I know believe what my ex-boyfriend posted and they start talking badly about me".
Cyberbullying and hate speech	Using technology and social media to attack or use pejorative or discriminatory language, to undermine someone's self-esteem or reputation, often targeting or inciting violence against women and diverse groups. For women, women with disabilities and ethnic people, comments on appearance were common and frequently motivated by sexism. For LGBTIQA+, offensive comments on their sexual orientation or gender expression were more common.	**Males (strangers and known people)** targeting: ● Women ● Women in public professional roles ● Women with disabilities ● Ethnic women ● LGBT	Women: "*People share negative comments on social media (eg, you're too dark, you're too chubby) this may cause the other person to feel bad or feel insecure about themselves and is scared to post anything on social media for a while*". Women with disability: "*In a group photo from a meeting that I've been to, they comment something like: you have that kind of leg and you wanna show it?*" Ethnic women: "*They say Lao Therng (highland ethnic group) is uneducated, poor, it happened to me on TikTok, they comment on my photos "You are Lao Therng, do you have rice to eat?" These comments are from strangers*". LGBT: "*When I post a photo of me and my boyfriend online, most of the time I get these harassing comments like 'who's the husband here?'...These kind of comments really discourage me and now I am too afraid to post my photo online.*"

TYPE	BEHAVIOURS IN LAO PDR	PERPETRATORS/ TARGETING	EXPERIENCES IN LAO PDR
Hacking, fake accounts and impersonation	Anyone can be hacked, but it is a form of a TF GBV when hacking is used to target vulnerable women or older women to give access to money or resources. Creating fake accounts and/or impersonating someone is often used to manipulate people in online dating scenarios, potentially into dangerous situations, or to share sexualised content without consent. Hacking, creating fake accounts and impersonation often happen simultaneously	**Anonymous** hackers targeting anyone, however **women perceived as vulnerable** (eg. older women) are at greater risk. **Men** targeting **young people**, especially young women and LGBT	*"My aunt was hacked before and that person used her account to message her friends/family members to borrow money. This might be because my aunt is already old and is not aware of the safety precautions".* *"A senior [was] messaging me romantically then I later found out that it was his fake account created by somebody. When I knew the truth I was so scared I kept questioning myself, "What if I decided to go meet him and what would happen to me?"*
Financial abuse	Technology-facilitated financial abuse involves the use of technology to withhold, exert pressure, control or spend finances	**Men** targeting **their female intimate partners** are disproportionately impacted	*"...She found out that her boyfriend withdrew all of her money [from her account] without consent. Mainly he spent the money on games and gambling, and she has to pay for his debts."*

Violence as a continuum: from online to offline (and vice-versa)

Preliminary findings reveal that TFGBV often takes place on a continuum in which actions that start in the digital space may lead to offline GBV perpetration and vice versa.

Participants recounted situations of TF GBV committed in the context of abusive relationships where technology and digital spaces provide an avenue for the continuation of violence, such as coercive control by romantic partners that evolved into cyberstalking, or monitoring social media use and then threatening physical violence or femicide (offline to online).

Others described online harassment or IBA that escalated to physical violence or rape (online to offline). Harmful practices such as child marriage and trafficking that were of concern in Laos and the region have now modernised to use technology to conduct these traditional practices.

How do people respond to experiences of TFGBV in Lao PDR ?

- Taking personal actions, such as deleting comments, blocking accounts and reporting to the social media platform
- Being "active bystanders" and educating friends they see perpetrating
- Self-censorship (removing themselves from social media)
- Warning friends when they notice warning signs, particularly for romantic partners
- Seeking support from their family or friends
- Limited help-seeking behaviours to GBV services across sectors due to lack of knowledge and awareness of available options

Available services and use of these services in Lao PDR

TFGBV service providers available in Lao PDR

Lao Women's Union (LWU): provide advice, information and counselling regarding TFGBV through their national 24/7 #1362 hotline, as well as ongoing counselling, legal advice, case management and safe shelter.

Police: call hotline #1300 if there is a threat or concern of physical safety or harm, or recruitment for trafficking or forced sex work (hotline #1300).

Ministry of Technology and Communications (MTC): Receives reports of TFGBV from individuals or companies, or through referrals from the police. The Cyber Security Department is able to search for perpetrator details, monitor and gather relevant evidence on the internet, and share with the police to be included in the investigation. MTC has powers to remove content from the internet.

Other National Mental Health and Psychosocial Support (MHPSS)/ counselling hotlines:

- For young women and girls who have any issues around stress, anxiety, life, love and relationships, call #1554.
- For information and advice for young people on sexual and reproductive health, including contraception, women can call #1361 and men can call #137.
- Young people can download the NoiYakhoo app for information on reproductive health, sexual health, STIs and more.

Preliminary findings show that many of the participants reported that when they experienced TF GBV they did not seek help from any institutional authorities. This was due to:

- Limited knowledge or awareness of the help-seeking options available
- Perceived gaps in legal and policy frameworks
- Issues with accessibility for diverse populations
- Lack of understanding by police of TF GBV as a form of violence that should be taken seriously
- Lack of digital literacy education.

What laws exist to protect people in Lao PDR from TF GBV?

Laws

Whilst there is no specific law on TF GBV in Lao PDR, there is a framework of laws that can be applicable to different forms of TF GBV:

- *Penal Code 2017*
- The Law on: *Resistance and Prevention of Violence Against Women and Children (2014)*
- *Law on Resistance and Prevention of Cybercrime 2015*
- *Decree No. 327 (2014)* on Internet-Based Information Control/Management
- *Law on Anti-Trafficking in Persons (2015)*

## A way forward: how can protection systems be strengthened to prevent and respond to TF GBV?

Preliminary recommendations are based on data from the FGDs and KIIs and global guidance. Detailed action steps will be included in the Final Report:

Recommendation 1: Strengthen legal, regulatory and policy frameworks to better protect Lao PDR citizens from TFGBV

Recommendation 2: Strengthen response mechanisms for quality, coordinated response to TF GBV, including tech companies, frontline service providers and accountability mechanisms

Recommendation 3: Investment in prevention of TF GBV, including advocacy and sensitisation to TF GBV

Recommendation 4: Strengthened quantitative and qualitative data and research on TFGBV, including population-based standardised surveys and administrative data/service data

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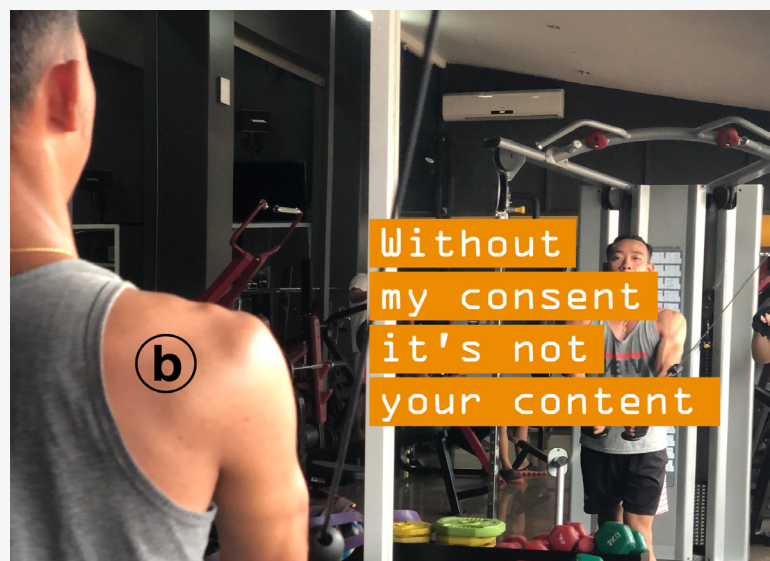
Glossary

Gender-based violence/violence against women: Gender-based violence (GBV) is an umbrella term for harmful acts of abuse perpetrated against a person's will and rooted in a system of unequal power between women and men.

The term "gender-based violence" (GBV) is primarily used to underscore the fact that structural, gender-based power differentials around the world place women and girls at risk for multiple forms of violence. While women and girls suffer disproportionately from GBV, men and boys can also be targeted. The term is also used by some actors to describe targeted violence against lesbian, gay, bisexual and transgender (LGBT) populations, in these cases when referencing violence related to norms of masculinity/ femininity and/or gender norms.

The UN defines violence against women as, 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

In Laos, the term "violence against women" is often used interchangably with GBV. The Law on Preventing and Combatting Violence against Women and Children 2014 states that violence against women and children is a behavior (action,neglect or negligence) that causes, or will cause, harm to women and children physically, emotionally, sexually, property or economically.

There are four categories of violence against women and children under Lao Law as follows:
- Physical violence
- Psychological violence
- Sexual violence
- Property or Economic violence.

LGBT: Abbreviation for Lesbian, Gay, Bisexual, and Transgender. An umbrella term used to refer to the community as a whole.
Lesbian: A woman whose primary sex ual orientation is toward people of the same gender.
Gay: A sexual orientation toward people of the same gender.
Bisexual: A person whose primary sexual and affectional orientation is toward people of the same and other genders, or towards people regardless of their gender.
Transgender/sexual: Used most often as an umbrella term, some commonly held definitions: 1. Someone whose gender identity or expression does not fit their assigned birth sex and gender. 2. A gender outside of the man/woman binary. 3. Having no gender or multiple genders. Sometimes used to specifically refer to trans people pursuing gender or sex confirmation surgery or procedures.

Online platform:[5] An online platform is a digital service that facilitates interactions between two or more distinct but interdependent sets of users (whether firms or individuals) who interact through the service via the Internet. The term "online platform" has been used to describe a range of services available on the Internet, including marketplaces, search engines, social media, creative content outlets, app stores, communications services, payment systems, services comprising the so-called "collaborative" or "gig" economy, and much more.

5 4 OECD (2019). An Introduction to Online Platforms and Their Role in the Digital Transformation. Available at: https:// www.oecd-ilibrary.org/ science-and-technology/an-introduction-to-online-platforms-and-their-role-in-the-digital-transformation_53e5f593-en

Private technology companies:[6] Private technology companies encapsulate a wide range of organizations including, but not limited to the following:

- designated Internet service providers: entities who allow end users to access online materials, and Internet service providers, being those entities who supply Internet carriage services including among others, Google, Safari and Internet Explorer;
- social media service providers: entities who provide services that connect two end users through online means including among others, Facebook, LinkedIn and Instagram;
- electronic service providers: entities who allow end users to communicate with one another (e.g. Outlook and gaming chat services);
- app distribution service providers: entities who provide access to app services including among others, Google (through the Google PlayStore) and Apple (through IOS App Store);
- hosting service providers: entities who enable hosting of stored materials provided on social media services, relevant electronic services or designated Internet services including, among others, Apple and Microsoft each through their provision of cloud services;
- hardware development companies: entities who create, develop and/or maintain technology equipment, physical assets and other tangible items;
- software development companies: entities who create, design, develop and maintain programmes, applications, frameworks or other software components

Perpetrator: a person who commits an act, negligence, or neglect that results in physical, psychological, sexual or property damage to women and children (Law on Preventing and Combating Violence against Women and Children).

Social media: Social media is a collective term for websites and applications that focus on Internet-based communication, community-based input, interaction, content-sharing and collaboration. Forums, microblogging, social networking, social curation are among the different types of social media that allow quick electronic communication of content to users. Content includes personal information, documents, videos and photos. Users engage with social media via a computer, tablet or smartphone via web-based software or applications. The most commonly used social media platforms are Facebook, YouTube, WhatsApp, Facebook Messenger, Instagram and TikTok.[7]

Survivor/victim-survivor: Survivor: Survivor is a term for the individual who is subject to violence to abuse. Sometimes they may be referred to as victims or victim-survivor. The term "survivor" is preferred to the term "victim" to reinforce the agency and empowerment of affected women and girls. The use of the term "victim" should be used, however, in legal and court situations. This publication uses the term "survivor", to align with international standards.

Stakeholders: Stakeholders are all government and civil society organisations and agencies that have a role in responding to violence against women and girls. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others , such as migration actors, consular staff and migration resource centers.

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6 Online Safety Act 2021 (Cth). No. 76, 2021. (Austl.)
7 GBV AoR Helpdesk, Learning Series on Technology-Facilitated Gender-Based Violence (see footnote 108)