# **Policy brief**

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**Scrutinizing the Challenges and Opportunities of Digital Technologies: A need for bridging gender digital divide**

**Policy brief by**

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# **Key Points**

* Gender digital divide is to be curbed to enable women and girls, in all their diversity, to enjoy universal, acceptable, affordable, unconditional, open, meaningful, and equal access to the internet.
* Agency and autonomy of girls and women, in all their diversity, and those from marginalized groups, should be respected both online and offline while still fighting with existing structural inequality.
* Online violence against all the women and girls, in all their diversity, is to be recognized as a form a violence rooted in patriarchal system, and it should be addressed not only through legal interventions but through structural change.

# **Introduction**

In today’s age, digital technologies are instrumental to access information, to express and explore oneself and to find communities. In a survey research (Body & Data, 2021) conducted with total 300 young people in Nepal most of them (up to 98.7%) use internet for the communication with friends and family, followed by for entertainment purpose. Internet and technology has become an integral part of people's lives across different caste, class, age, ethnicity, gender identity, education, profession, age, marital status, geographical locations and so on. The role of digital technologies has been found to be essential in women empowerment and its importance was heightened during COVID-19. Digital technologies play an important role in accelerating the attainment of the Sustainable Development Goals (SDGs) and contribute to empowerment (HDR 2022). Thus, the 2030 agenda for Sustainable Development has placed technology as one of the key action areas for achieving SDG.

It is also considerably important to discuss how usage of digital technologies is shaping our sociopolitical outlook and how this could impact the realities of people specially of women, girls, non-binary, oppressed and marginalized groups. And such discourse doesn't exist in vacuum. One has to deep dive into the socio-political structure where they belong, to find out the impact as well as opportunities and challenges digital technologies has brought.

The feminist discussion on technology and gender revolves around shifting the language around "empowerment" and "innovation" to rights, participation, security, and well-being. One of the underlying problem is the social structure including physical and digital infrastructure are built such that the voices of some people are heard and some are not heard. This paper unpacks the nuances around the experiences of girls and women in all their diversity with digital technologies. Based on the analysis of the work from various social justice movements in Nepal, this paper comes across three points to highlight on the major findings:

## Closing gender digital divide

According to Nepal Telecommunication Authority, 90.56% people have access to internet as of 2021, 64.6% of households have at least one mobile subscription and 7.3% of households own computer. However, access to internet and devices does not mean girls and women in the household and society have control over the resources and are free from surveillance on their online behavior.

Structural and systemic barriers created by the legal, political, socio-cultural, geographical and financial context contributes to the digital divide that women and girls in all their diversity are facing across the regions globally. The intersection of caste, indignity, disability and rural context further contributes to the existing gender digital divide. Although the Constitution of Nepal guarantees the fundamental rights of citizens, including the freedom of expression, there is state control over how the technology is used and what are censored. The digital divide directly impacts their online participation, access to information, and right to assembly and association, which is increasing the existing inequality and exclusion of all women and girls, in all their diversity (GEC 2020). During pandemic, the barriers to educational attainment for girls was heightened due to necessity of relying on digital technologies for attainment of education.

Beside the issue of telephone and internet connectivity in rural areas, it is necessary to pay attention to the socio-economic barriers as well as design and assessment of digital technologies for those in the margins to optimize the benefit that digital technology can create. We should strive for not only increasing access to digital technologies but to ensure that there is meaningful access for women and girls, in all their diversity.

## Promoting agency of women, girls and marginalized group online and offline

The heteronormative, patriarchal and structural injustice disregards the autonomy and agency of girls and women. The suppression, censorship and gatekeeping that exists in the offline space is projected in online spaces. A report (Body & Data, 2021) shows many of the laws and regulations related to information and technology are being used in restricting, controlling, manipulating and censoring content disseminated through the internet without prior public debate, or a thorough understanding of their long-term impact, often using broad and ambiguous laws.

The expressions of minorities tend to come under the most scrutiny and attack, from legal entities and in the society, sexual expression of girls and women remains an important dimension that state and non-state actors have sought to limit and control. Nepal banned pornography in 2018 and this can be taken as an example where the state, under the pretext of mitigating sexual violence among girls and women, disproportionately curbed access to free and open internet. Such restrictions are linked to larger questions of moral policing, censorship, and unequal citizenship and rights. The vilification, censorship, and criminalization of sexual expression online is seen to disproportionately impact women’s and marginalized communities’ exploration of their pleasure. Especially contrasted with mainstream and digital media where women’s body is sexualized for male gaze, we can see this as the byproduct of the sexual, physical and mental violence of the patriarchy; women’s agency and consent is being curtailed at different levels in the legal, political and socio-economic fields. Here, our consent is violated on different levels in the legal, political and socio-economic playground and we remain as subjects to be protected from the byproduct sexual, physical and mental violence of the patriarchy.

Along with the state laws and policies, non-state actors and big tech corporations are equally responsible in censoring expression and bodies of girls, women and other marginalized groups. The data that is generated, processed and presented represents our bodies and thus bodily autonomy and ownership over data against the violation of our consent and privacy from government and big tech companies should be considered while adopting digital technology by the states (Khan 2023). The concern over privacy and security of online presence and the data that is generated, breach of privacy and misappropriation of such data – at any level by any actor – has higher impact among girls, women and marginalized communities.

It is important to create policies that promote claiming and exercising our autonomy and agency online, which will also reflect back on our offline life – which is integral in challenging discriminatory and restrictive social norms.

## Online violence is an extension of existing gender inequality

Girls and women, in all their diversity are continuously being silenced, censored, discriminated and oppressed in both digital and physical spaces that will help maintaining the status quo and existing inequality.

Despite the recognition of women’s right as a fundamental right by the Constitution of Nepal, the legal and justice system of the country still maintains discriminatory provisions towards girls and women, a clear example is where they cannot even independently pass on their citizenship to their children.

UN Special Rapporteur on Online Violence Against Women and Girls to the HRC highlighted in their report how the mental and psychological harms from online violence could manifest in physical and economic harms. It warns how online threats could bring unwanted attention to the private and personal lives of the victim as tangible physical threats. A survey report by Body & Data shows 86% of the respondents have experienced online violence of some sort. Victims have added barriers when trying to access the justice system and make use of the existing legal provisions because of rampant victim blaming and moral policing by those in power.

Further, Women Human Rights Defenders (WHRDs) and journalists face online harassment and hate speech and have to bear the onus of protecting themselves online, sometimes resulting in them leaving the online space altogether. There are many documented incidents of digital security threats along the physical security risks on feminists, activists, and journalists. There is currently no universal international legal mechanism for ensuring digital security (Mansurov 2021) and while many entities are trying to create “ethical” frameworks and policies, they need to be contextualized with lived experiences of the women and girls, in all their diversities. Positioning from the feminist lens, it is argued that this issue needs to be seen as a systemic issue and rather than holding individuals accountable and punishing the individual perpetuators, we need to do structural analysis of social and policy contexts that have brought the issue of gender based violence. Online GBV does not exist in a vacuum separate from our social realities; special laws or measures formed to address OGBV is not going to work until and unless the old patriarchy, misogyny is rooted out.

# **Conclusion/Recommendations:**

Understanding the need for structural analysis to be done in addressing gender digital divide, gender gap in access to gender technologies and ensure data privacy and security, there is need of some essential steps to be taken to ensure gender equality and contribute in allowing women and girls in all their diversity to be able to practice their agency in digital spaces:

1. Accessto digital technologies means right to be online and offline on using any technological system, including the internet. Access to decision-making spaces, access to spaces where legal and policy making decisions are made about technology too also comes under meaningful access. Access is also having the option to freely opt out. To achieve gender equality, not only is it necessary to provide girls and young women equal access to technology and digital training, but also access to question the practices that are making their online experiences unsafe.
2. Sexual expression to be recognized as freedom of expression issue and there should be state and non-state actors to control, surveil, regulate and restrict feminist and queer expression on the Internet.
3. Addressing online gender based violence not just through the legal measures but based on their intersectional identities and experiences of people including an understanding of gendered implications of cyber security, data collection, surveillance, internet shutdowns, and disinformation to protect and strengthen women and people from diverse genders and sexualities’ rights in digital contexts.

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