

**COVID-19 and the increase
of domestic violence against
women in Latin America:
*A digital rights perspective***

**Submission from Derechos Digitales to the
United Nations Special Rapporteur on violence
against women, its causes and consequences**

I. About this submission

Derechos Digitales is an independent non-profit organisation based in Chile, established in 2005, working across Latin America to defend and promote the exercise of human rights in the digital environment, through the study, dissemination of information, and the impact on public policies and private practices, to promote social change around the respect and dignity of people.¹

This submission was developed by Derechos Digitales after conducting a survey with local feminist and digital rights partner organizations to understand the situation in the different Latin American countries with regards to the increase of gender violence and, particularly, online gender-based violence during the Covid-19 pandemic in the region.

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II. Digital rights and its' impacts on gender rights

From an international human rights framework approach, the so-called digital rights are all legally recognized human rights that are mediated or affected in their exercise by technology: digital rights are human rights. They imply the protection and defense of existing human rights, such as privacy, freedom of speech, access to information and culture, but also include specific issues that are particularly entrenched into this field, such as the right to internet access and connectivity that nowadays are cornerstone to exercise civil, political, economic, social and cultural rights.

There is increasing recognition of the role of information and communication technologies (ICTs) as a key enabler of development, human rights, and equality. Securing internet access for women is essential, but it is only the first step in leveraging technology to fight existing inequalities. Central to advancing women's rights in the digital age is asking who gets empowered and who is informationally marginalised by use of new technologies. Marginalisation is the result of a continuum that requires work to be done in access to the internet while also fundamentally addressing how existing offline power dynamics and cultural norms around gender equality play out also in digital spaces. Any strong human rights analysis should take into account the underlying context in which women and gender diverse people live, in order to understand and address the multiple and intersecting economic, political and social barriers that each face within their communities. Inhibitors to full ICTs access and use by women and LGBTQI+ persons should be addressed as part of the state's obligation to respect, protect and fulfil all human rights. This includes establishing and maintaining an enabling online and offline environment that is safe

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¹ Derechos Digitales: <https://www.derechosdigitales.org>

and conducive to engagement by all, without discrimination and with special attention to the needs of groups and individuals facing systemic inequalities.

As the technology can be a facilitator of the exercise of those rights, it is necessary to consider that its design and deployment is crossed by the different expressions of sexism and discrimination that still exist in our region, affecting how women participate (or not) in society through access to information, debate and protest. It particularly affects the ways in which they can exercise their health and reproductive rights by means of access to information, and the free exercise of their right to sexuality by virtue of their individual autonomy and their right to their bodies.

In Latin America, where the increase of violence against women has set the topic as one of the main issues to tackle in the pending political agenda of several countries, women are increasingly using technologies and digital spaces to organize, get informed and spread the word about their rights and the types of violence they face. Such was the case of the recent year's feminist movement actions regarding #MiPrimerAsedio in Brazil, #MeToo in México, La Marea Verde in Argentina, and Las Tesis in Chile. The actions surrounding every year's 8M protests have also ignited conversations around how regional governments have failed in promoting the construction of safe environments for women both offline and online, and how this failure to acknowledge the continuity of harms between those two spaces impact heavily on women's ability to benefit from technology to address traditional discrimination and detrimental gender stereotypes.

To tackle these issues, many civil society initiatives have risen and are taking action by enabling aid networks as well as using digital platforms to reach out to women and LGBTQI+ people who seek advice and support. During the COVID-19 pandemic, these issues have become increasingly severe, raising concerns on the resilience of civil society initiatives previously deployed, and the overwhelming responses given by local governments to aid victims of gender violence, both physical and online.

Evidence gathered on the gender impact of technology use is mixed. There are cases in which technology has proven to be a great tool for women and gender diverse people to access information and get involved with their communities or even escape domestic violence situations. However, in many other cases the same technologies have been weaponized against their rights to freedom of expression, access to information, privacy and their political participation for the construction of a more inclusive society.

The ways in which women’s rights can be, and often are, attacked both online and offline are numerous. Harassment faced by Latin American women in public spaces is for instance replicated online, through bullying, doxxing (the practice of researching and publicly disseminating private or personally identifying information about someone) and impersonation. As daily social and economic activities go online with the advance of the Covid-19 pandemic in the region, such types of attack become more common. For women human rights defenders, the global health crisis has also meant facing an increasingly hostile and violent online environment for their work.

Access to internet as a limitation for access to information and assistance

The consequences of the digital gender gaps are deepening in the current pandemic context, as many sources of government or community based support go online. Women without proper and sufficient access to ICTs and connectivity are left in an even more fragile situation and prone to all sorts of discrimination and abuse.

Structural sexism plays a key role in the possibilities of Internet use by women and LGBTQI+ groups in Latin America. Although the rates are lower than the ones found in other Global South regions, it is possible to identify a gender digital divide in several countries, with particular concerns in Bolivia and Peru, where the difference in access levels reach 8%.² Regarding the abilities for the effective use of ICTs, the situation is even more concerning due to limitations on access to education by women and girls, especially in rural areas.

As in other regions, women’s participation in the tech industries is very limited in Latin America. Only 10% of the ones who are able to enroll in tertiary education go to engineering or computer sciences, while among men the rate is 33%.³

Intersectionality between gender, race or income levels makes these divides greater. Evidence shows that access levels increase with the participation on the labor market, higher educational levels and income.⁴ There is little available information regarding Internet penetration among the LGBTQI+ population, the marginalization they suffer offline is reflected in their possibilities of connection and quality of Internet access. Affordability remains a key challenge that differentially affects these populations, and evidence shows connection prices relative to income are particularly high in Latin America, when compared to other regions.

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2 <http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Montevideo/pdf/PolicyPapers-ConfMinistros-BrechaDigital-ES.pdf>

3 <https://scioteca.caf.com/bitstream/handle/123456789/1401/Brechas%20de%20genero%20en%20America%20Latina.%20Un%20estado%20de%20situacion.pdf>

4 https://conicyt.cl/gendersummit12/wp-content/uploads/2017/12/Luc%C3%ADa-SCURO-_gender-summit_06.12.17.pdf

Restrictions on freedom of expression online and access to information

During the Covid-19 pandemic some governments attempted to increase freedom of expression restrictions by passing controversial emergency norms, impacting people's access to basic information, including on health.⁵ Arbitrary detentions of people accused of sharing false information were registered in countries like Bolivia,⁶ Ecuador and Venezuela. Sustained harassment and threats, including by public authorities who were actively giving misleading information about the health situation, continued to be observed in Brazil, with female journalists as preferred targets. Past actions such as a criminal lawsuit against an independent magazine for publishing information on safe abortion in 2019, may have also resulted in chilling effects affecting women's access to information on sexual and reproductive rights in the country.⁷

In El Salvador, civil society organizations report an increased violent and hostile digital environment that hinders the work of women human rights defenders during the health emergency.⁸ The president is accused of using digital media to delegitimize those who criticize his policies, including messages that discredit human rights organizations⁹ and use misogynist language.¹⁰ Women activists and leaders have suffered digital attacks in particular during the pandemic in the region, repeating a trend of attempting to silence female voices that has been observed in other occasions.¹¹

Finally, women, feminists, sexual rights activists and LGBTQI+ groups in Latin America have been also adversely affected by the application of social network platforms' community standards. These go from the application of mandatory real name policies to limitations on posting body images with political, historical or artistic significance. Platforms do not offer specific figures that allow understanding the dimensions of the problem in Latin America.

Although so far, information relies on anecdotal evidence collected by civil society, concerns are raised during the pandemic and may also impact on how women can access information on official or community-led assistance to victims of gender violence. This is due to the fact that specialized civil society organizations operating

5 <https://www.derechosdigitales.org/14615/brazilian-disinformation-bill-threats-freedom-of-expression-and-privacy-online/>

6 <https://www.derechosdigitales.org/14611/in-support-of-freedom-of-expression-in-bolivia-we-request-the-abrogation-of-the-ds-4231/>

7 https://www.derechosdigitales.org/wp-content/uploads/20191114_InputPrivacyGender.pdf

8 <https://im-defensoras.org/2020/06/el-salvador-organizations-express-concern-about-the-increase-in-digital-violence-against-women-human-rights-defenders/>

9 <https://twitter.com/nayibbukele/status/1244370925815988226> (in Spanish)

10 <https://twitter.com/nayibbukele/status/1252805340006985730?lang=es> (in Spanish)

11 During the 2017-2018 elections in Mexico, female candidates faced a hostile web environment for their campaigns. In a context in which digital media is increasingly important for electoral results, 62 candidates of 24 different states registered some type of online violence which included death threats and organized attacks, but also the sharing of their personal information. See: <https://luchadoras.mx/violenciapoliticaenlinea/> (in Spanish) and https://www.derechosdigitales.org/wp-content/uploads/20191114_InputPrivacyGender.pdf.

in the region are highly responsible for offering trustworthy information and assisting victims. Once they are currently operating mainly online, they are now subject to new types of attacks and restrictions.¹²

III. Covid-19 and the increase of gender violence in Latin America

Global institutions and organizations such as the World Bank¹³ and OCHA¹⁴ have indicated that the COVID-19 pandemic is exacerbating existing inequalities and weaknesses in societies, and that there is an acute surge of violence against girls and women in Latin America and the Caribbean. CEPAL and the UN Organization for Women itself have called this surge “a double pandemic”, signaling that Latin America already has the highest rates of gender-based violence in the world¹⁵, with Brazil, Peru, Mexico, Argentina, El Salvador and Bolivia representing 81% of all cases.

According to a study conducted by the Regional Alliance on Freedom of Expression and Information some Latin American countries still don't have official statistics on gender and domestic violence: Cuba, Honduras, Nicaragua, Dominican Republic and Venezuela. Where these information existed, 80% registered an increase in gender violence by the end of April, while in 20% available data was considered inconsistent and outdated.¹⁶ The study analyzed the situation regarding access to information during the health emergency in Bolivia, Brazil, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico and Nicaragua, Paraguay and Uruguay. When it came to domestic violence, 100% of the countries where information was available registered an increase in the number of cases.

IV. Online gender-based violence during the Covid-19 pandemic

Online gender-based violence has proven to be a matter deeply rooted in the same patriarchal and hateful structures that enable the different violent manifestations women, LGBTIQ+ groups face in their offline environments and everyday lives. In that sense, it is not but an expression of other preexisting and coexisting forms of violence

12 <https://www.pikaramagazine.com/2020/05/trolls-pandemicos/> (in Spanish)

13 <https://www.worldbank.org/en/news/feature/2020/05/15/covid-19-could-worsen-gender-inequality-in-latin-america-and-the-caribbean>

14 <https://reliefweb.int/report/world/surge-violence-against-girls-and-women-latin-america-and-caribbean>

15 <https://reliefweb.int/report/brazil/double-pandemic-gender-based-violence-latin-america-and-early-experience-women-during>

16 http://www.alianzaregional.net/wp-content/uploads/2020/05/Estudio-regional_-AIP-en-contexto-de-emergencia-sanitaria-final.pdf (in Spanish)

that take place in our societies. These attacks and manifestations are intertwined with the lack of mechanisms to improve their experiences, both on and offline.

Women suffer violence –both offline and online– that impacts their possibilities of expression. In the digital environment it has a chilling effect that prevents their full enjoyment of the Internet.¹⁷ Threats go from discriminatory discourses and harassment to extortion or identity theft, and disproportionately affect also LGBTQI+ groups that are not in line with sexist, racist and heteronormative stereotypes,¹⁸ impacting on their freedom of expression, access to information and other rights.

Domestic violence takes digital shapes as well, by means of device surveillance, spouseware and stalkerware, and even the non-consensual dissemination of intimate images, so often called “revenge porn”. As it often occurs with other sets of rights, these types of conducts do not originate in the use of technology, but they are enhanced, facilitated or maximised by it.

Many of the consequences of the current pandemic, such as stress, loss of income, the disruption of social networks and access to support services (such as shelters, hotlines, legal aid, etc.) can contribute to worsen the risk and the consequences of violence for women. Violence mediated by technology is not the exception, particularly in times when there is an increased demand for internet access in order to cover an ever-growing list of activities and needs, from work to education including access to food, paying the bills and access to daily information.

Bolivia

Activists indicate a raise in gender violence and domestic violence during the Covid-19 pandemic. A report by the Ministry of Justice together with civil society organizations registered almost 9000 cases of violence against children, adolescents and women between March 16th and May 20th only in the rural areas of the country.¹⁹ Abuses included physical, psychological and sexual violence, rapes, infanticides, among others. Information was collected through an online survey with public institutions offering specialized legal and psychosocial assistance in these cases.

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17 https://www.apc.org/sites/default/files/HRC%2029%20VAW%20a%20briefing%20paper_FINAL_June%202015.pdf

18 https://hiperderecho.org/tecnoresistencias/wp-content/uploads/2019/01/violencia_genero_linea_peru_2018.pdf (in Spanish)

19 https://www.eldia.com.bo/index.php?c=Portada&articulo=Agresiones-fisicas,-psicologicas-y-sexuales-aumentan-en-areas-rurales&cat=1&pla=3&id_articulo=305724 (in Spanish)

Nationwide, in the 71 days of mandatory quarantine in Bolivia (from March 22nd to May 31st), 2.935 reports on gender violence were registered, 81% of which were related to domestic violence. Of 56 feminicides²⁰ registered in 2020 until June 25th, 26 took place during the quarantine.

Official data is considered confusing and there is a difficulty in measuring the evolution of cases during the pandemic due to differences on how data was collected in previous years.²¹ Local activists have pointed out inconsistencies in the information provided referring to the months of isolation. They inform that while cases of gender violence have increased, official statistics indicate a reduction in reports. Their perception is that this is due to the fact that victims have difficulties in requesting assistance while being in isolation together with perpetrators and also responds to a naturalization of violence and a lack of trust in justice.²²

Some forms of online gender-based violence respond to the challenges implied in the shared confinement. Activists report hacking, identity thefts and extraction of personal information through malicious links as common. Threats through phone calls, intimidation and use of intimate photographs were also reported. A member of two organizations that work directly with victims of this type of violence providing technological, psychological and legal assistance says that reported cases include (i) surveillance of personal devices by partners, (ii) calls from allegedly familiar people asking for their personal information, (iii) being questioned by partners because of their social media exposition, and (iv) lost of access to personal social media accounts due to hacking – which particularly affects women activists.

Representatives of local organizations point out that responses from authorities in dealing with gender violence reports is insufficient. While there is a free helpline available 24h per day to receive reports and requests for specialized assistance, attention is considered poor.²³ They also inform that although there are local/regional assistance services there is not enough information on them and how they can be activated.

Official helplines were promoted on social networks and private messaging apps
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20 Fregoso and Bejarano (eds). 2010. Terrorizing women feminicide in the Américas: “Building on the generic definition of ‘femicide’ as ‘the murder of women and girls because they are female’ (Russell 2001), we define ‘feminicide’ as the murders of women and girls founded on a gender power structure.”

21 <https://violentadasencuarentena.distintaslatitudes.net/portfolio/bolivia/> (in Spanish)

22 <http://www.coordinadoradelamujer.org.bo/observatorio/index.php/tematica/2/destacado/2/registro/134> (in Spanish)

23 <http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Montevideo/pdf/PolicyPapers-ConfMinistros-BrechaDigital-ES.pdf> and <https://www.agetic.gob.bo/pdf/estadotic/AGETIC-Estado-TIC.pdf> (in Spanish)

during the pandemic, which implies serious limitations in a country where, together with generational and geographical gaps, the gender gap is prominent when it comes to access to the internet.⁷ In the words of an activist who was interviewed for this report: “people in most need don’t have access to the internet, so it becomes a privilege to receive this type of assistance”. For the women who are subject to surveillance by their partners, accessing information online is not the safest option.

Brazil

In Brazil, isolation measures in response to the Covid-19 pandemic widely varied throughout the different regions of the country. Still, existing statistics from various sources indicate an increase in gender violence. The national helpline dedicated to giving assistance in these cases registered a 15% raise in calls in March 2020 in comparison to March 2019. Complaints on rights violations and attacks to the integrity of women raised in 36% in April in relation to the same month last year, according to national official data.²⁴

A group of independent media outlets on domestic violence in the country identified 195 feminicides during March and April 2020, a 5% average raise from 2019, considering 20 states.²⁵ In São Paulo, the increase in feminicides reached 41%.²⁶ Emergency legal procedures raised 29% in only a month after the beginning of the isolation measures in the state. In the same period, arrests of aggressors in acts of domestic violence increased 51,4%.²⁷

Despite the alarming statistics, experts consider that domestic violence cases are still underreported. They have observed a decrease in official numbers of complaints related to physical injuries derived from domestic violence and sexual abuse, including against minors, in several states.²⁸ They also mention a lack of transparency and information, particularly in some states, that makes it harder to analyze the evolution of cases during the health emergency. A significant reduction of the budget available at the national level to assist women who are victims of violence in the past years also raises concerns.²⁹ Several police stations dedicated to receiving complaints on gender violence were closed and although some cities offer the possibility of registering them online, local organizations consider there is a lack of information on how to do it.

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24 <https://agenciabrasil.ebc.com.br/geral/noticia/2020-05/ligue-180-registra-aumento-de-36-em-casos-de-violencia-contramulher> (in Portuguese)

25 <https://ponte.org/mulheres-enfrentam-em-casa-a-violencia-domestica-e-a-pandemia-da-covid-19/> (in Portuguese)
Another study which analyzed data from 12 states identified a 22,2% increase in feminicide cases during March and April 2020 in comparison with 2019. See: <https://forumseguranca.org.br/wp-content/uploads/2020/06/violencia-domestica-covid-19-ed02-v5.pdf> (in Portuguese)

26 <https://ponte.org/idiota-vagabunda-e-puta-ela-ouviu-dele-mas-nao-deu-continuidade-a-denuncia/> (in Portuguese)

27 https://drive.google.com/file/d/1xW3vbiF_KBK1xzm2ukHShhBqBHmJN6GA/view (in Portuguese)

28 <https://ponte.org/confinadas-com-companheiros-mulheres-nao-conseguem-denunciar-agressoes/> and <https://forumseguranca.org.br/wp-content/uploads/2020/06/violencia-domestica-covid-19-ed02-v5.pdf> (both in Portuguese)

29 <https://ponte.org/mulheres-enfrentam-em-casa-a-violencia-domestica-e-a-pandemia-da-covid-19/> (in Portuguese)

Civil society organizations also identify a scenario of sustained rights violations against women which was exposed during the pandemic: precarious employment conditions have made them even more vulnerable to abuses of different types. Basic sexual and reproductive health services were interrupted and access to contraceptive medication and legal abortion have also been compromised.

The situation is aggravated in indigenous communities, where women have also suffered from increased gender violence, according to local experts. Persisting territorial conflicts contribute to such a scenario. Violations against indigenous rights in recent years and increasing cultural rights' abuses during the pandemic also attempt against indigenous women's dignity.³⁰

Beyond official statistics, local organizations point out to an increase in reports of physical, psychological and sexual violence. They also indicate a 43% rise in the number of downloads of an online application developed to offer assistance in cases of domestic violence: PenhaS, developed by the feminist institute AzMina.³¹ Attention through the app increased 20% during the Covid-19 pandemic and includes giving information about gender violence, existing rights, public services available and how to use them. Other tools are available such as an emergency button to call for help when needed, a map with geolocation information on the nearest police station and a recorder that helps victims to produce evidence for pursuing legal action against aggressors.

Experts identify several community based initiatives to respond to gender violence in Brazil, mostly operating through digital channels to receive requests for help, register volunteers and establish connections between professionals and victims. A challenge in this context is to guarantee the security of the information shared online. Commercial solutions are often adopted due to the accessibility and popularity (eg. Google, Facebook, WhatsApp, etc.), but present several vulnerabilities.

Perception is that digital technologies became even more important in the context of the Covid-19 pandemic as an alternative to support and solidarity networks, but people ignore the risks implied in their use, particularly for privacy and security when sharing sensitive data. In that sense, activists point out an urgent need to develop safer alternative solutions and expand knowledge on the power relations involved in technological development.

Chile

As part of its response to the Covid-19 pandemic, the government strengthened existing helplines and implemented assistance through web channels, private messaging

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30 <https://brasil.elpais.com/brasil/2020-06-24/maes-yanomami-imploram-pelos-corpos-de-seus-bebes.html> (in Portuguese) and <https://riotimesonline.com/brazil-news/brazil/life-brazil/yanomami-mothers-plead-for-their-babies-bodies/>

31 <https://azmina.com.br/penhas/> (in Portuguese)

applications and social networks. Measures were adopted to facilitate the operation of physical centers and shelters for victims, but according to specialized civil society organizations they are harder to access in the current health emergency. Online police reporting was also habilitated.³² According to local organizations, massive campaigns were developed to inform the population on the existence of these channels.

However, feminist organizations call attention to the limitations of these channels to respond to a situation in which victims are confined with their aggressors and may have their possibilities to access them restricted. They also point out that accessibility was not fully considered which affects disabled, indigenous or migrant women's possibility to request assistance. Even the campaigns are considered to not always respond to the needs of diverse realities.

The only data available on gender violence during the pandemic is related to interactions with helplines: in the case of a dedicated official helpline they have increased traffic in 80% between March and April 2020 going from 8.130 to 14.759 calls. In the same period, phone calls to the specialized police on domestic violence increased in 119%, while official complaints decreased. Seven feminicides were registered between mid March and the end of April.

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The perception of organizations working directly with victims is that physical, psychological and sexual violence have increased during the Covid-19 pandemic. An organization attending to homosexual women points out that domestic violence against them has increased and several have been expelled from their homes.

When it comes to online gender-based violence, activists identified that women and homosexual women have been victims of threats in social networks. This has affected human rights' and LGBTQI+ rights' defenders in particular. They also point out that discrediting female leaders who gained attention for providing relevant Covid-19 related information was a trend in social networks during this period. Reported cases involve direct threats against the president of the Chilean Medical Association, Izkia Siches, and congresswoman, Carmen Hertz.

Siches has emerged as a leader during the health crisis, being an active and critical voice on the matter demanding stricter measures from the government.³³ Because of that, she has received dozens of e-mail messages in her personal account with sexual violence and death threats against her and her family.³⁴ She also had her Instagram account deactivated after the platform received numerous reports that she was dead. The attack happened on the same day she had a live debate in that social network,

32 <http://www.humanas.cl/wp-content/uploads/2020/06/Los-derechos-de-las-mujeres-de-la-regi%C3%B3n-en-%C3%A9pocas-de-COVID-19-ARF.pdf> (in Spanish)

33 <https://chiletoday.cl/site/izkia-siches-the-face-of-the-chilean-fight-against-covid-19/>

34 <https://spainsnews.com/infected-by-coronavirus-in-chile-exceed-12300-and-deaths-reach-174/>

which evidences a direct attempt to silence her.

Congresswomen Carmen Hertz, a recognized human rights lawyer, has also received sustained torture and death threats in social networks and in her personal phone number, including late night phone calls. Messages included images of armed men, human bodies being thrown out of helicopters, animal torture, as well as references to the torture and assassination of her husband during the Chilean dictatorship.³⁵ Hertz is a member of the Chilean Communist Party and has also been a critical voice against the government's response to the health emergency.

Colombia

Colombia registered 188 feminicides until May 2020, 133 of which during the quarantine implemented due to the advance of the Covid-19 pandemic in the country between March 16th and June 22nd.³⁶ Three national helplines are active and operating 24h per day during the pandemic³⁷ and campaigns in social networks were developed to inform on the attention services available to victims.³⁸ Calls to only one of them had increased 163% until April 23rd.³⁹ At the same time there is criticism regarding the operation or efficiency of these channels to respond to victims' needs. Little consideration on accessibility, particularly in relation to people living in remote areas is also a concern.

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A representative of a local organization highlights an increase in domestic violence and feminicides, highlighting that in June four feminicides were registered in only 48 hours. Feminist organizations consider there is a national emergency in place due to this scenario.

Data on gender violence during the pandemic is mostly processed and delivered by grassroots social and feminist organizations. The government has not developed a deep analysis of the national situation.

Digital tools are believed to have given some women the possibility to search for assistance and break silence without seeing themselves at risk or exposed. They have also been important for accessing relevant information and finding online support networks. However, online gender-based violence is also a concern in the country. Reported cases include situations of intimidation, harassment and different types of attacks -usually by former partners- on social networks. According to local activists offering assistance in these situations, the goal of these types of attacks is to intimidate, discredit and control

35 <https://www.plenglish.com/index.php?o=m&id=55010&SEO=chiles-chamber-of-deputies-denounces-threats-against-communist-mp> and <https://www.latercera.com/nacional/noticia/camara-denuncia-ante-la-fiscalia-nuevas-amenazas-contracarmen-hertz-le-desean-que-sea-torturada-y-que-muera-de-covid-19/CRUM5V7EBRA75NEWLXEKCHDORY/> (in Spanish)

36 <http://observatoriofemicidioscolombia.org/attachments/article/428/Dossier%20Femicidios%20Colombia%20en%20Cuarentena%20Junio%202022.pdf> (in Spanish)

37 <https://www.radionica.rocks/analisis/violencia-intrafamiliar-pandemia> (in Spanish)

38 <https://pacifista.tv/notas/una-curva-que-no-se-aplana-la-violencia-de-genero-durante-la-cuarentena/> (in Spanish)

39 Ibid.

victims that have decided to put an end in their relationships or report violent behaviour. They have also identified cases of sextortion with intimate images.

Ecuador

In Ecuador, according to official data, from March 12th and June 5th, the national integrated security system (911) received 22.836 calls for domestic violence.⁴⁰ However, comparing 911 emergency alarms for gender violence between March 12th and April 11th 2019 and 2020, the number has decreased 37,2%.

Experts point out that this does not mean that violence has diminished in the country, but it evidences restrictions faced by victims in reporting without being listened to by their aggressors or other family members. Their perception, on the contrary, is that cases are increasing. According to them, stress and increased social and economic risks during the Covid-19 pandemic are also influencing domestic violence.⁴¹

As part of its response to the crisis, the Ecuadorian government has increased the services of its emergency operations center and developed campaigns directed to victims of domestic violence and LGBTQI+ communities to incentivize their use of the emergency phone number. Local specialized organizations, however, stress that once 911 alerts activate a police that is usually not prepared to deal with these cases, its effectiveness in responding to them has been very low. They also inform that the national 911 line was put in charge of additional obligations during the Covid-19 pandemic which resulted in its collapse.⁴²

At the same time, while the Attorney General has opened digital channels for complaints, it has not been able to effectively process them during the Covid-19 pandemic, creating additional difficulties for women and vulnerable groups to access justice.

During the health crisis, as in other countries, women and LGBTQI+ communities had to move online to sustain their jobs, social activities and communicate. According to a specialized local organization, this has been followed by an increase in online gender-based violence which evidences digital gender gaps, since these groups – which are particularly vulnerable to online harassment and attacks – are not aware on how to protect themselves online. In fact, a 2018 survey on the use of ICTs in Ecuador identified that 11,7% of women were considered digitally illiterate against 9,6% of men.⁴³ They

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40 <https://www.primicias.ec/noticias/sociedad/ecu-911-llamadas-violencia-intrafamiliar-diarias/> (in Spanish)

41 <http://www.pichinchacomunicaciones.com.ec/violencia-de-genero-durante-la-cuarentena-235-mujeres-llaman-diariamente-al-911-en-ecuador-por-abuso-en-sus-hogares/> (in Spanish)

42 <http://www.humanas.cl/wp-content/uploads/2020/06/Los-derechos-de-las-mujeres-de-la-regi%C3%B3n-en-%C3%A9pocas-de-COVID-19-ARF.pdf> (in Spanish)

43 https://www.ecuadorencifras.gob.ec/documentos/web-inec/Estadisticas_Sociales/TIC/2018/201812_Principales_resultados_TIC_Multiproposito.pdf (in Spanish)

highlight the need for regulation of the digital environment from a human rights perspective and sexual education from a sexual and reproductive rights point of view.

The same organization has registered an increase in digital sexual violence during the Covid-19 pandemic. Particularly it points out to the sharing of intimate images without consent (revenge porn), sextortion,⁴⁴ sexual harassment (including against children and adolescents through online games), hate speech and discriminatory expressions. Cases reported include the sextortion of a female student who had her intimate videos shared with friends by an anonymous aggressor (who turned out to be an ex-boyfriend). She was convinced to come into a “negotiation”, but when she clicked a link sent by him, her Facebook account was hacked. As a result, she lost access to it, all her friends were exposed and started to be extorted. A similar case was reported by another student who suspect her aggressor might also be a known person.

This organization offers assistance in case of online gender-based violence in Ecuador. They receive reports through a protected email direction and follow-up cases online using safe communication tools. Other specialized organizations offering legal and psychological assistance to victims of gender violence made dedicated phone numbers available during the pandemic.

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Guatemala

In Guatemala, a feminist expert highlights that there is no updated official statistical data on gender violence available. Going in the opposite direction, the Guatemalan government has been considering substituting the national highest institution on women’s rights, the Presidential Secretariat for Women (SEPREM), with a lower ranking one.⁴⁵

Based on her experience, however, she points out that all types of gender violence previously registered have intensified during the pandemic, due to a prominent decrease in the already poor living conditions of most part of the population generally excluded from formal employment. These include feminicides, physical and sexual violence and sexual abuse. Online gender-based violence takes multiple forms and involves public harassment with racist and misogynistic messages, sharing of personal information about female journalists, interception of human rights’ defenders devices, identity thefts and hacking of accounts for extortion. LGBTQI+ groups are particularly affected in the exercise of their rights.

UN experts have also alerted on the exacerbated discrimination and inequality faced by girls and women in the country during the Covid-19 pandemic.⁴⁶

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44 <https://ifex.org/sextortion-harassment-and-deepfakes-how-digital-weapons-are-being-used-to-silence-women/>
45 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25979&LangID=E>
46 Ibid.

Mexico

In the context of the COVID-19 pandemic in Mexico, some of the main issues regarding gender violence are deeply related to the lack of measures to provide access to information and services to women and LGBTQI+ people in these challenging times.⁴⁷ Some of the main concern areas are related to the increase in domestic violence⁴⁸ and the disregard with which this situation has been addressed by the government, which has even discredited the increasing risk alerts presented by NGOs, shelters, and mutual aid groups on this subject.

Beyond domestic violence, other manifestations of structural violence towards women and marginalized groups have raised concerns.⁴⁹ Regarding the access to reproductive and sexual health, as well as birth control⁵⁰ and support towards VIH+ populations,⁵¹ most of the measures that were announced during the development of the pandemic haven't been implemented, and the ones that were implemented proved to be insufficient.

To support women and people from the LGBTQI+ communities many NGOs stepped up⁵² to fix the issues the government has not provided specific nor efficient measures for, this has led to a very complex situation in which most of the aid networks have been strengthened (economically and structurally) through the use of social media and crowdfunding. But the digital divide in Mexico is wide enough to provide the certainty that despite these incredible initiatives' work and efforts, they are not enough to override the lack of action and commitment the government has shown⁵³ regarding the pressing issues of gender violence.

In online platforms, gender-based violence has also increased. Through different combinations of stalking, doxxing, and threatening, online ener-based violence has been directed towards collectives and NGOs that work to support victims, as well as influential women -journalists, activists, artists, academics, and politicians- who cover subjects related to violence against women and the neglect towards the high femicide and transfemicide rates in the country.⁵⁴

Adding those specific attacks to the prevailing online gender-based violence manifestations -such as the distribution of intimate images without consent, online harassment, and takedown of sexual and reproductive health information platforms-

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47 <https://genero-covid19.gire.org.mx/>

48 <https://www.washingtonpost.com/es/post-opinion/2020/04/13/mexico-abandona-las-mujeres-violentadas-en-esta-contingencia/> (in Spanish)

49 <https://www.eleconomista.com.mx/politica/Pobreza-hambre-y-mujeres-en-el-contexto-Covid-19-20200620-0003.html> (in Spanish)

50 <https://luchadoras.mx/abortar-en-tiempos-de-pandemia-una-encrucijada/> (in Spanish)

51 <https://heraldodemexico.com.mx/tv/solo-por-hoy/durante-pandemia-aumentaron-quejas-falta-medicamentos-tratamientos-atencion-salud-imss-issste-vih-sida-cancer-especialidades/> (in Spanish)

52 <https://www.animalpolitico.com/2020/04/mujeres-red-refugios-normas-indesol-recursos/> (in Spanish)

53 <https://www.animalpolitico.com/blog-de-intersecta/las-llamadas-de-auxilio-de-las-mujeres/> (in Spanish)

54 <https://www.zonadocs.mx/2020/06/24/femicidios-en-mexico-pandemia-insostenible-familiares-de-victimas-de-femicidio-solicitan-reunion-con-beatriz-gutierrez-mueller/>

for which the government has also provided uninformed measures that translate into ineffective actions:⁵⁵ the digital technologies and social media platforms while providing some tools for facing these scenarios and strengthening support networks, are also unsafe spaces for women who are targets of violence.

V. Emerging trends and key concerns

Qualitative and non-exhaustive evidence collected by Derechos Digitales in this brief report present a scenario of persisting challenges for the exercise of fundamental rights by women and LGBTQI+ groups in Latin America. States' deficiency in offering a proper response to structural gender violence in the region can be observed from the lack of investments and policies to assist victims identified in some countries, to the lack of accessible helplines or even trustworthy and updated statistics regarding gender and domestic violence. The situation is not novel, but has been extremely exacerbated during the current Covid-19 pandemic and particularly affects low income and historically marginalized groups, such as indigenous and black women, migrants, among others.

In the absence of a proper response from States, feminist activists and civil society organizations have used their own tools and knowledge to offer proper assistance to victims of gender violence in its various forms. They include digital, legal and psychosocial support.

Mandatory isolation measures adopted during the health emergency have also impacted on their work. Most of them had to adapt their activities to the digital context including creating new channels for receiving requests for aid and complaints, developing solidarity networks for volunteer support or even crowdfunding to sustain their (usually increased) work. Digital platforms are also used by these groups to at least: (i) share trustworthy information on the local context regarding gender and domestic violence, (ii) inform on the existing services to support victims, (iii) communicate with victims, volunteers and co-workers and (iv) publicly criticize and protest against governments' inaction on the matter.

Cases presented in this submission show that their online activities -which are key for the protection of women's and LGBTQI+ groups' rights during and beyond the pandemic- are also under serious risks. First, due to measures restricting the free circulation of information and increasing State surveillance online adopted in some countries in their response to the health crisis. It is important to highlight that these clearly violate local governments' commitments with the protection of human rights. They also go in the opposite direction of international experts' recommendations that "any restrictions or limitations imposed on human rights for the purpose of protecting health in the context of the COVID-19 pandemic comply with the requirements established by international

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human rights law. In particular, such restrictions must comply with the principle of legality, be necessary in a democratic society, and thus be strictly proportionate to meet the legitimate aim of protecting health.”⁵⁶

Second, reports on online gender-based violence during the Covid-19 pandemic indicate a dangerous trend of organized attacks against women and LGBTQI+ human rights defenders in the region. Direct threats, harassment, discriminatory discourse, exposition of personal information and hacking of accounts were registered in several countries. Sometimes with (direct or indirect) support from local authorities including the highest ones in the case of Brazil, El Salvador and Mexico, at least.

This type of action has a clear purpose of silencing critical voices and preventing activists and organizations of continuing their activities in assisting victims. At the same time it recreates a violent and hostile environment for women and LGBTQI+ leaders in the digital public sphere, it represents a new threat for the fight against gender and domestic violence.

Abusive digital rights restrictions and online gender-based violence appear as part of a new racist, misogynistic and patriarchal agenda in Latin America. They are key elements to be considered in future attempts to understand and respond to gender and domestic violence during and after the Covid-19 pandemic.

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VI. Credits

This submission was developed by Derechos Digitales with valuable contributions from the following organizations and independent activists that constantly work in defense of gender rights and for the end of all forms of gender violence in Latin America:

- Agrupación Lésbica Rompiendo el Silencio, *Chile*
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