



81

ANNUAL  
GENERAL  
MEETING

ISTANBUL



# Streamlining Gender Safety for a Secure and Inclusive Internet

Shruti Shreya

NextGen Fellow, ICANN 81

[shrutishreya1396@gmail.com](mailto:shrutishreya1396@gmail.com)

# About Myself

- I am a Lawyer by Training
- My areas of specialisation include IP and Technology Laws
- In my former stint at The Dialogue, I was engaged in evidence based research and delivery of digital empowerment programmes
- My goal is to work towards a globally connected and inclusive digital world, where access to technology fosters empowerment and positive change for all.



# Introduction to TFGBV

---

 Tech-Facilitated Gender-Based Violence (TFGBV) disproportionately impacts women and marginalised groups.

---

 The Indian Information Technology Act, 2000, is outdated and does not address modern forms of digital abuse effectively.

---

 Existing provisions focus primarily on explicit content, overlooking psychological harm and non-verbal harassment.

---

 The Act lacks robust measures for protection of individual dignity and privacy, such as addressing doxxing and unauthorised data sharing.

---

 Urgent amendments are needed to address privacy violations, emotional harm, and to create a more comprehensive legal framework for digital safety.

# Feminist Jurisprudence Framework



## Catherine MacKinnon's Theories

- ✊ Power Dynamics
- 📱 Digital Spaces
- 👩 Gender Subjugation



## Luce Irigaray's Theories

- ♀️ Female Experiences
- ♂️ Patriarchal Structures
- 🌐 Unique Digital Identity

# TFGBV Regulatory Landscape in India and Scope for Improvement

| TFGBV Challenge                            | Description                                                          | IT Act Provision           | Limitations of Existing Provision                                           | Suggestive Legal Amendments                                                                                                   |
|--------------------------------------------|----------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Cyberstalking                              | Persistent online harassment, monitoring, unwanted attention         | S. 66A (Repealed), 66E, 67 | No explicit anti-stalking laws; repealed Section 66A causes a legal gap     | Introduce explicit anti-stalking laws, emphasizing personal autonomy, reflecting MacKinnon's views on gendered power dynamics |
| Digital Voyeurism                          | Unauthorized use of technology to observe an individual privately    | S. 66E                     | Focuses only on images, not comprehensive for all digital voyeurism forms   | Broaden to cover all forms of digital voyeurism, aligned with Irigaray's emphasis on respecting bodily integrity              |
| Doxxing                                    | Unauthorized online dissemination private information                | S. 43, 66C, of 72A         | Provisions are too general, no explicit mention or focus on doxxing         | Create specific anti-doxxing laws, ensuring respect for privacy as a fundamental human right                                  |
| Impersonation/ Catfishing                  | Creation of fake profiles or websites for damage or defamation       | S. 66D                     | Limited to impersonation, does not cover all forms of online identity fraud | Extend laws to cover all types of digital impersonation, advocating for Irigaray's principle of identity and difference       |
| Non Consensual Intimate Image Distribution | Discrimination of threat of explicit/sexual material without consent | S. 66E, 67, 67A, 72A       | Inconsistent application, lack of clarity on consent and content type       | Define clear consent norms, creating laws that resonate with MacKinnon's views on consent and gender-based violence           |
| Psychological Violence                     | Indirect, non-physical forms of digital abuse                        | S. 66A (Repealed) S.67     | Overlook non-physical abuse aspects, focus mainly on tangible digital harms | Address psychological impacts in laws, aligning with MacKinnon's perspective on broader forms of gendered harm                |
| Verbal Harassment (Non-explicit)           | Discriminatory or derogatory remarks online                          | S. 66A (Repealed) S.67     | Lack of specific clauses for non-explicit verbal harassment                 | Legislate against all forms of verbal harassment, reflecting MacKinnon's emphasis on language as a tool of gendered power     |

# Key Recommendations Based on Global Landscape Analysis

## Tackle Emerging forms of TFGBV



Address new TFGBV forms like cyberstalking, doxxing. Inspired by California's SB 255.

## Protection Against Psychological Violence



Sanction psychological impacts, aligning with ECHR's approach in Buturuga v. Romania.

## Effective Enforcement



Specialized TFGBV training, akin to EU's digital crime programs.

## Rapid Response Mechanisms



Fast-track processes, modeled on Canada's online child exploitation response.

## Align with International Standards



Adhere to CEDAW and UN standards for gender justice in digital realms.

## Private Sector Collaborations



Tech firm collaboration for safety, inspired by GDPR's private sector role.

## Regular Review and Updates



Periodic updates, following the US approach to cybersecurity legislation.

# Interlinkages with ICANN's Mission



Digital Trust



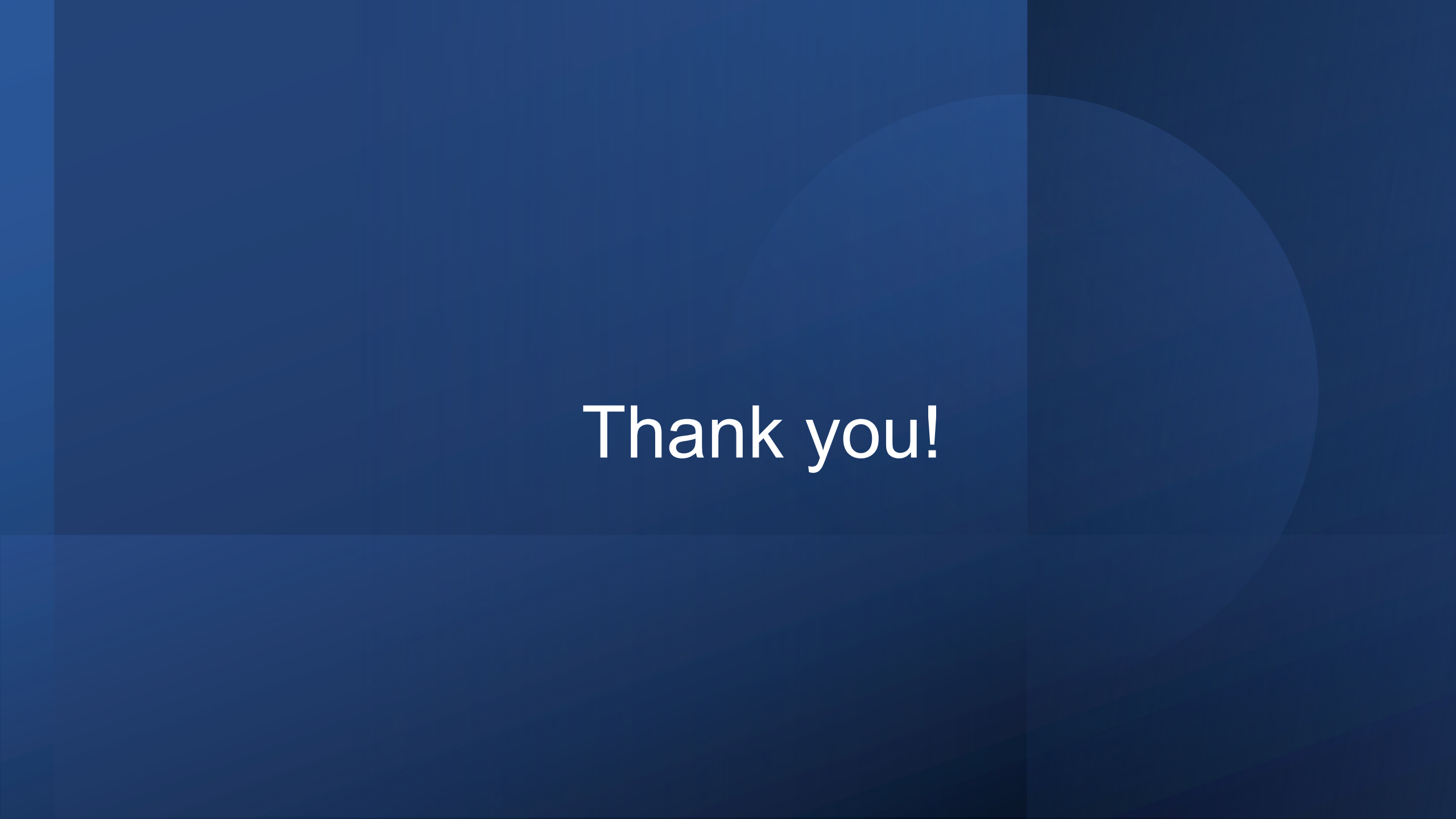
Stability



Security



Collaboration



Thank you!