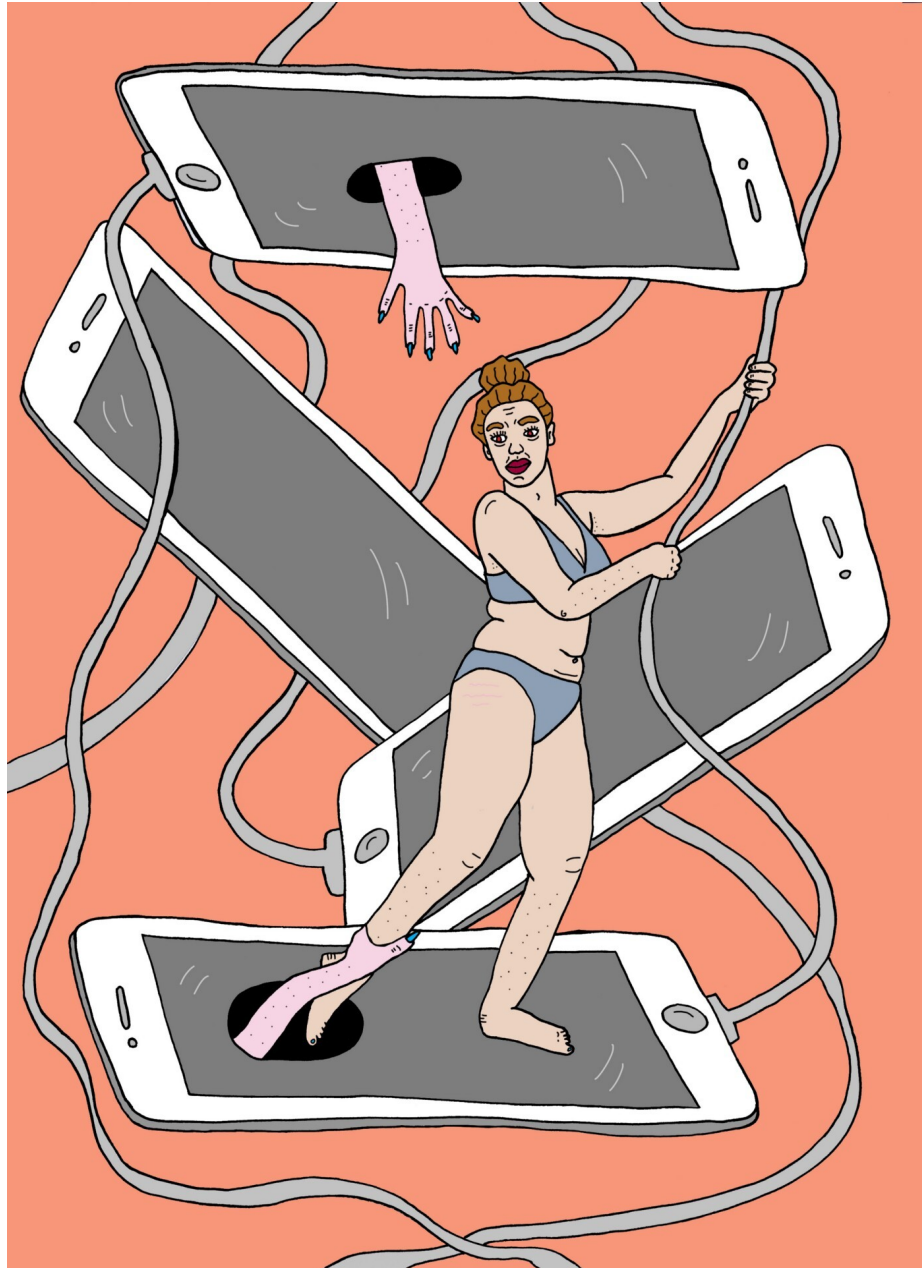


**Submission to the Special Rapporteur on Violence Against Women:  
COVID-19 and the Increase of Domestic Violence Against Women**



*Credit: Venus Libido*

**Point of View (POV)**  
**June 2020**



# 1. Introduction

Point of View (POV) is a non-profit organisation based in Mumbai, India that builds and amplifies the voices of women and other marginalised genders. We work at the intersections of gender and sexuality, with a particular focus on the digital. This submission addresses the rise of domestic violence against women during the COVID-19 crisis, addressing the intersection of the online and the offline through a consideration of domestic violence in conjunction with online and ICT\* facilitated violence.

Our work on and in digital spaces means that POV is always deeply aware of the ways in which the online and the offline bleed into – and shape and mirror – one another. In the current crisis, while redressal mechanisms for domestic violence have shifted online,<sup>1</sup> the populations disproportionately affected by such violence – women, LGBTQ persons, people with disabilities, sex workers, migrant workers – have limited access to online spaces.

In this submission, ‘women’ and ‘domestic violence’ are defined as follows:

- ‘Women’ are a diverse category that also comprises of trans, non-binary and gender non-conforming persons; it is understood that those within this category sit at different and fluid intersections of violence.
- ‘Domestic violence’ comprises multiple types of violence that occur in the home: physical, emotional, mental, and financial, as well as *digital*.

Digital violence is an integral aspect of domestic violence – or violence in domestic spaces – in the digital age. Research has shown that physical and digital violence often combine or interact to produce domestic violence in the digital age. As Freed et al. have noted, “Digital technologies, including mobile devices, cloud computing services, and social networks, play a nuanced role in intimate partner violence (IPV) settings, including domestic abuse, stalking, and surveillance of victims by abusive partners.”<sup>2</sup>

In the context of the COVID-19 pandemic, digital violence has become part and parcel of domestic spaces. Lockdowns and work-from-home orders mean that as we inhabit domestic spaces 24/7, we simultaneously and continually inhabit digital devices too – mobiles, laptops, tablets. So much so that digital devices have become part of our domestic spaces, another layer that needs to be considered in understanding domestic violence.

Taking our cue from the Special Rapporteur’s report to the Human Rights Council in 2018, our submission underscores that “new forms of online violence are committed in a continuum and/or interaction between online or digital space; it is often difficult to distinguish the consequences of actions that are initiated in digital environments from offline realities, and vice versa”.<sup>3</sup>

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<sup>1</sup> <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>

<sup>2</sup> Freed et al. (2017) ‘Digital Technologies and Intimate Partner Violence: A Qualitative Analysis with Multiple Stakeholders’, *Proceedings of the ACM on Human-Computer Interaction*, vol. 1, no. 1, pp. 1-22.

<sup>3</sup> A simple yet widespread example of this interplay is the inadvertent outing that has occurred to several LGBTQ persons whose family members have picked up their digital devices, and gone through their photos and messages. This is a unique manifestation of tech-related violence: it begins with a violent act – the violation of someone’s privacy – and is a precursor to further violence, whether physical, financial or otherwise.

## 2. The increase in violence against women during the COVID-19 lockdown

Since the nation-wide lockdown on 25<sup>th</sup> of March, India has seen a rise in violence against women, recorded by the National Commission for Women (NCW), NGOs and other civil society organisations working on the ground (and doing a large part of the work of counselling victims of domestic violence).<sup>4</sup> Though there is limited data available, a telling increase in calls to domestic violence and women's helplines has been recorded. The NCW also receives complaints by email, but chairperson Rekha Sharma stated that the real rise will be evident only when the complaints "from women in the lower strata of society" come in by post.<sup>5</sup>

The home is a contested space at the best of times, particularly for marginalised communities, and the lockdown has aggravated the everyday power relations at work in various homes.<sup>6</sup> As Nidhi Goyal, founder and director of Rising Flame, puts it, "Women with disability[ies] have been fighting to get out of their houses as their families worry about letting them navigate alone ... Now, we are under lockdown again."<sup>7</sup> Even during the lockdown, patriarchal power means that men are far more likely to leave their homes than women, because the latter must seek permission from the former.<sup>8</sup> In this context, "how many women with disabilities face violence at home? Nobody knows. How do you reach them? No one has a clue."<sup>9</sup>

It is also important to note that rural areas have been found to experience higher rates of spousal violence.<sup>10</sup> The pandemic has also put additional stress on rural and migrant populations, who are worst affected due to economic precarity,<sup>11</sup> and the widespread loss of livelihoods has rendered many women completely economically reliant on male relatives.<sup>12</sup>

### *Digital violence during the Covid-19 pandemic*

The 90-day national lockdown in India meant a halt in all social and economic activities and an order to stay indoors. It is not impossible to conclude that one of the many activities that then increased during this period was the time spent on social media. The widespread shift online is evident in statistics on the user-bases of social media platforms. Facebook, for example, had 343 million Facebook users in India as of May 2020 (of which 75.1%, as stated

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<sup>4</sup> <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>;

<sup>5</sup> It is important to note that India's shadow pandemic long pre-dates COVID-19. As of the last National Family Health Survey (2015-2016; NFHS-4), 103,272 cases were registered under the broad heading of 'Cruelty by Husband or His Relatives'. This accounted for 32% of the cases reported under crimes against women, highlighting that homes and family spaces are not the safe spaces they are often presumed to be.

<https://www.telegraphindia.com/india/lockdown-turns-into-captivity-for-women/cid/1760856>

<sup>6</sup> <https://www.epw.in/engage/article/stay-home-stay-safe-interrogating-violence>

<sup>7</sup> <https://www.hindustantimes.com/columns/the-lockdown-is-hard-for-women-with-disability/story-4uOVBLxLOoukdIcqWvP1vJ.html>

<sup>8</sup> <https://asia.nikkei.com/Opinion/Lockdown-shows-up-public-face-of-India-s-gender-inequality>

<sup>9</sup> <https://www.hindustantimes.com/columns/the-lockdown-is-hard-for-women-with-disability/story-4uOVBLxLOoukdIcqWvP1vJ.html>

<sup>10</sup> 34.1% of married women in rural areas reported having experienced spousal violence, compared to 25.3% in urban areas. A similar trend was seen in women who'd experienced spousal violence while pregnant (4.1% in rural areas, compared to 3.4% in urban). For more, see: [rchiips.org/NFHS/pdf/NFHS4/India.pdf](https://rchiips.org/NFHS/pdf/NFHS4/India.pdf).

<sup>11</sup> <https://www.ndtv.com/india-news/coronavirus-india-lockdown-over-80-of-indian-homes-dropped-income-in-lockdown-study-says-2229245>

<sup>12</sup> <https://www.hindustantimes.com/analysis/how-covid-19-invisibilises-concerns-of-women-girls/story-rRJMnaeAJ6SD0ILn8xBdkJ.html>

earlier, were men).<sup>13</sup> It is interesting to compare this figure to the number recorded in January 2020: 324 million. This difference of 19 million is crucial.<sup>14</sup>

This section looks at social media-based violence faced by three groups of Indian women from March to June 2020:

- Female journalists and public figures on Twitter
- Queer women and trans persons on Instagram
- Dalit women on TikTok

In the absence of quantitative data, this section is based on media reports and personal interviews with activists.

### *Female journalists and public figures on Twitter*

Powerful and/or high-profile women have always faced a disproportionate amount of online violence, a phenomenon that was visible on Twitter during the lockdown. In June 2020, two well-known journalists, Rana Ayyub and Vidya Krishnan, tweeted their support of an activist who was arrested during the lockdown.<sup>15</sup> In return, Krishnan's feed was flooded with messages like "why don't you have a love child with a 11" peaceful man and brainwash it with such garbage? We will raise warriors who will one day drench india's streets with a tidal wave of Muslim blood, hust as they did to us over centuries" [sic]<sup>16</sup>. Ayyub got messages that specifically targeted her identity as a Muslim woman. "The sexiest Islamic unvieled person ever know... Hot with lots of bitter thoughts. [two thumbs up emojis, two open mouthed-smile emojis]" [sic].<sup>17</sup>

Faced with a barrage of violence, journalist Karnika Kohli deactivated her Twitter account in June. Her colleague, Rohini Singh, explains: "My friend @KarnikaKohli wrote a personal account of how she had to deal with anxiety attacks because of the vicious trolling by BJP IT cell. Post that thread, Karnika was inundated with abuse & more vicious trolling by the same people." According to Kohli's report, attempts were made to hack into her account, trolls posted photographs of her family online, and she was subjected to "filthy abuse". Singh pointed out the impact this has on mental health, saying, "Calling someone a prostitute for instance isn't legitimate criticism. It's abuse".<sup>18</sup>

Also in June, actress Meera Chopra faced ongoing abuse on Twitter from the fans of another actor. Jr NTR's fans leapt into action, and threatened her with (gang)rape, death, acid attacks, called her a "whore, pornstar, and bitch", and tweeted things like "Your parents will die soon because of corona, so sad b\*\*\*\*\*".<sup>19</sup>

These interactions are not only deeply gendered but also symptomatic of how violence against women has been normalised online; as we know, online spaces reflect the offline

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<sup>13</sup> <https://napoleoncat.com/stats/facebook-users-in-india/2020/05>

<sup>14</sup> There is little data available on online violence in these months, but Facebook's bi-annual Community Standards Enforcement Report (not region-specific) did record an increase in hate-speech related content against which action was taken: "5.7 million pieces of content in Q4 2019 to 9.6 million in Q1 2020." <https://transparency.facebook.com/community-standards-enforcement#hate-speech>

<sup>15</sup> [https://www.huffingtonpost.in/entry/safoora-zargar-bail-hearing-delhi-riots\\_in\\_5ed9c853c5b6f7a1e0325a95](https://www.huffingtonpost.in/entry/safoora-zargar-bail-hearing-delhi-riots_in_5ed9c853c5b6f7a1e0325a95)

<sup>16</sup> The post was later found to violate Twitter's rules against hateful conduct, and was taken down.

<https://twitter.com/AnonSnippet/status/1269723771251744768>

<sup>17</sup> <https://twitter.com/cclamba/status/1269582277417164800>

<sup>18</sup> [https://twitter.com/rohini\\_sgh/status/1272443649825968128](https://twitter.com/rohini_sgh/status/1272443649825968128)

<sup>19</sup> <https://www.indiatoday.in/movies/celebrities/story/meera-chopra-gets-rape-threats-after-she-said-she-likes-mahesh-babu-more-than-jr-ntr-files-complaint-1684939-2020-06-03>

patriarchal worlds they operate in.<sup>20</sup> “There’s something about the embodied nature of physical violence that makes us forget that online violence is an extension of the same misogyny that fuels in-person attacks, and that viewing the two as separate is unhelpful.”<sup>21</sup>

### *Queer women and trans persons on Instagram*

Home is not necessarily a safe physical space for LGBTQI persons in India; for some, it is a site where homophobia combines with other forms of domestic violence and manifests in different ways. Shelly\*’s<sup>22</sup> estranged parents reached out to them at the beginning of the lockdown to check if they were safe. This soon devolved into homophobic comments and accusations of kidnapping against Shelly’s partner, Savi\*. Savi’s parents threatened to stop paying her college fees, and said that they will send people to bring her back to them. The lack of financial independence is a major obstacle. Many LGBTQ persons, especially those who are younger, maybe students, or residing in cities with high costs of living, continue to stay in violent spaces, and endure homophobia and transphobia from biological families due to this reason.

In the case of marginalised communities like LGBTQ persons, having one’s physical mobility restricted means that a lot of people are going online to seek community, support systems, and safe spaces.<sup>23</sup> But this too becomes harder when one is in an unsafe physical environment. “I’ve been living on my phone and Instagram because I cannot go out anywhere. But now my mum is threatening to throw away my phone because of this,” says Robin\*. “Often, I cannot even speak openly over a phone call in front of my family, and resort to only texting because that’s much safer,” they add. Needless to say, this has dire ramifications on people’s ability to report violence.

The digital violence faced by trans persons is multifold. Even before the pandemic and subsequent lockdowns, trans persons faced a disproportionately higher amount of violence online. This was in the form of abusive transphobic comments on their photos, offensive questions about their bodies, and unsolicited sexual messages and media content. This has been further exacerbated by the lockdown. Radha\*, a trans woman who is very vocal on social media, says, “See, I’ve always received comments and abusive messages in DM. But I feel like the frequency of this has gone up much more now. Overall, the number of people commenting on my posts has gone up since April 2020, and now I’m getting more and more negative comments and DMs as well. But there are a lot of queer and trans people who also comment with hearts and other lovely comments which makes me feel supported though I’m alone in my house.”

On Instagram alone, several new accounts have come up which exclusively post posts that attack women who have spoken out on topics, journalists, and LGBTQ persons who are vocal on social media. These posts specifically target people who oppose the right-wing government in India. An example of this is @thehindustanvoice,<sup>24</sup> which has been posting Islamophobic, misogynist and queerphobic content starting with their first post on the 14<sup>th</sup> of May 2020. Most similar accounts have about 2,000 followers on an average, but some like

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<sup>20</sup> <https://digitallibrary.un.org/record/1641160?ln=en#record-files-collapse-header>

<sup>21</sup> <https://theprint.in/opinion/for-women-in-press-like-rana-ayyub-its-scarily-easy-for-online-threats-to-turn-physical/54073/>

<sup>22</sup> \* indicates the name has been changed.

<sup>23</sup> A larger looming concern among the LGBTQ communities is that of surveillance, privacy-violation, and outing in the name of COVID-19 tracking and control. Apart from the privacy concerns related to the Aarogya Setu app introduced by the Indian government (and mandated in certain spaces and activities), LGBTQ persons are worried about being outed to families and workplaces through these apps and the exacerbation of stigma.

<sup>24</sup> <https://www.instagram.com/thehindustanvoice/?igshid=1leuzifhcyqxi>



@cautious.indian and @watchful\_indian<sup>25</sup> have 16,000-20,000 followers, and several of the accounts also have YouTube channels.

These handles have multiple accounts which are all kept active in case any one account gets taken down for abuse. All these accounts started posting after the first lockdown was put into place in India in March, which is a concerning pattern in the current manifestation of online gender-based violence. The virulent Islamophobia, attacks on women, and homophobia and transphobia has become such a big concern that there are messages shared on closed queer and trans care groups with the handles listed so that individuals can take the precaution of blocking them.

A more insidious version of the same are right-wing Instagram handles which pose as feminist pages with the sole intention of harassing those who speak out against the government, and silence dissent, such as @no\_to\_fascism.<sup>26</sup> One message on a queer and trans care group says, “They are posing as ‘left wing’ and ‘feminist’ accounts but are exactly the opposite. This above account may try to follow you, engage with you, and instigate you. Their plan seems to be to pick a fight, and post screenshots and do ‘takedowns’.” The person who sent this message was subjected to transphobic messages and slurs in an attempt to doxx them.

There are also an increasing number of videos and IGTV videos on Instagram in the form of diss tracks with misogynist and homophobic attacks on different people. Traditionally, diss tracks are songs “whose primary purpose is to verbally attack someone else, usually another artist”,<sup>27</sup> and were popularised in the hip hop genre. This has been adapted to attack individuals or groups in India. The audio lyrics as well as the video accompanying them have homophobic, transphobic, and Islamophobic slurs in them. These are much harder to moderate since the lyrics as well as the text in the video are in Hindi or a regional language, and the violence is perpetrated through videos which are not seen as ‘violating community standards’ in the conventional sense. An example is a video by @loka\_music,<sup>28</sup> which has over 73,000 views, and the handle itself has over 92,000 followers.

### ***Dalit women on TikTok***

Dalit women face caste and gender-based violence in conjunction with other forms, making them more vulnerable than even their male counterparts.<sup>29</sup> Online caste-based violence not only subjects them to hate speech, vicious trolling, and more, but also de-platforms and silences Dalit women in unique ways.

The experiences of LGBTQI persons on Instagram have already undermined the illusion of online spaces as democratic, and the recent viral tweet (later deleted) that categorised social media platforms on the basis of caste-based hierarchies is an excellent example of how social logics and offline hierarchies have been institutionalised online.<sup>30</sup> The tweet by @Atheist\_Krishna put YouTube and Instagram under the ‘Brahmin’ category, Twitter under ‘Kshatriya’, Facebook under ‘Vaishya’, and TikTok under ‘Shudra’. This is to say that the wealthiest and relatively educated individuals use YouTube and Instagram, the brainy people use Twitter, Facebook is for the commoner, and TikTok is used by those who are looked

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<sup>25</sup> <https://www.instagram.com/cautious.indian/>; [https://www.instagram.com/watchful\\_indian/](https://www.instagram.com/watchful_indian/)

<sup>26</sup> [https://instagram.com/no\\_to\\_fascism?igshid=18p1y4hbn5dkk](https://instagram.com/no_to_fascism?igshid=18p1y4hbn5dkk)

<sup>27</sup> [https://en.wikipedia.org/wiki/Diss\\_\(music\)](https://en.wikipedia.org/wiki/Diss_(music))

<sup>28</sup> <https://www.instagram.com/tv/CAwp0jBINtY/?igshid=fow6wtfr9e1m>

<sup>29</sup> <https://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/FEDONavsarjanTrustIDS.pdf>

<sup>30</sup> <https://twitter.com/PuneetVuneet/status/1235906688491769856/photo/1>

down upon – Shudras, or the Untouchables, who do so-called menial jobs such as cleaning washrooms and working with leather.<sup>31</sup>

A boy quoted in ‘TikTokers Dubbed “Shudras of the Internet”’: Indians Didn’t Spare Even Social Media from Casteism’ “proudly boasted about his ‘upper-caste’ identity and said: ‘These jokers are lower-caste people, and no one from the upper castes would ever make such videos ... The traits of this app are very similar to those of people from lower castes — ridiculous and funny. Why would anyone aspire to be like them?’”<sup>32</sup> It must also be noted that TikTok is gaining a reputation for misogynistic content, where “violence against women comes packaged with a side of humour and romance”,<sup>33</sup> which is dangerous for many reasons – one of which is that this provides the opportunity to place VAW firmly in the purview of the ‘other’, whether the caste-other, or the religious-other, or even the geographical other, as has been done in Kerala post the accusations against Shailaja Teacher.<sup>34</sup>

A two-fold process embeds these opinions in online logics: first, ‘troll armies’ such as those responding to the journalists on Twitter, amplify content. As @dalitdiva says, “the real threat to communal harmony on @TwitterIndia is not .@Jack with a #Dalit poster, its #disinformation & troll armies who consistently are violent and deplatform Women, dalits, muslims and other caste oppressed groups all the time” [sic].<sup>35</sup>

Second, algorithms such as TikTok’s create echo chambers that ensure that viral posts, even ones such as this, have a long life. Journalist Niles Christopher explored caste-based violence on TikTok in 2019 for a piece he wrote for WIRED,<sup>36</sup> and tweeted some of his observations: “As we sampled a few caste-based videos TikTok’s AI algorithm quickly caught on serving an endless trove of hate accounts advocating supremacy and casteist speech. By the end of two weeks, my feed was filled with such content ... It’s short. It’s direct. It’s personal. And it keeps coming. Once you go down the rabbit hole TikTok turns into a universe of snackable bites of hate-speech”.<sup>37</sup>

This kind of digital violence is not new, but it is on the increase, aided by its normalisation and a lack of measures and legislation that engage with it as a critical issue rather than an afterthought. With large segments of the population being confined to domestic spaces, escaping violence is near impossible – the silencing effect, and de-platforming, are ways in which women, Dalits and other marginalised communities are forced to escape the digital violence they face. These do not address the violence, protect its victims, or provide any sort of justice – they simply make it so that certain people (the marginalised) are no longer seen.

While statistics on online violence during COVID-19 are limited, the rise in the number of social media accounts propagating hate speech and other violence since the start of the lockdown, the inadequacy of platforms’ community guidelines and the rise of Hindutva

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<sup>31</sup> Practices stemming from the caste system are rampant even today - this includes, denying persons from lower castes water from the well of a village of upper caste Hindus, or forcing the house help (who is often of a lower, if not lowest caste) to eat on the floor, and from separate utensils.

<sup>32</sup> TikTok, the massively popular musical app, recently crossed 2 billion downloads – Indian users accounted for over 611 million of these as of the 30<sup>th</sup> of April, 2020, despite the platform getting banned a couple of times. [www.indiatoday.in/technology/news/story/tiktok-gamers-over-2-billion-downloads-india-tops-the-chart-with-611-million-downloads-1672833-2020-04-30](http://www.indiatoday.in/technology/news/story/tiktok-gamers-over-2-billion-downloads-india-tops-the-chart-with-611-million-downloads-1672833-2020-04-30).

<sup>33</sup> <https://timesofindia.indiatimes.com/india/how-women-became-punching-bags-in-the-name-of-viral-content/articleshow/76189702.cms>

<sup>34</sup> Keralite Twitter users began constructing their identity as citizens of Kerala in opposition to a sexist, misogynist ‘North India’, thus denying the possibility that Kerala itself has to grapple with these issues.

[https://twitter.com/s1ddh4rth\\_n41r/status/1273891844464795650](https://twitter.com/s1ddh4rth_n41r/status/1273891844464795650)

<sup>35</sup> <https://twitter.com/dalitdiva/status/1064814484785676289>

<sup>36</sup> <https://www.wired.co.uk/article/tiktok-india-hate-speech-caste>

<sup>37</sup> <https://twitter.com/nilechristopher/status/1160786838908366848?lang=en>

ideology in India have all come together to create an increasingly toxic online space that fuels Islamophobia, homophobia, transphobia, caste-based violence, and much more. Here, too, women experience heightened vulnerability informed by their intersecting identities, and forced withdrawal from online spaces constitutes another form of violence that they face.

### 3. Obstacles encountered in preventing and combatting domestic violence

With lockdowns and social distancing in place, reporting mechanisms have shifted to digital spaces: helplines, websites with form-reporting, WhatsApp, and so on.<sup>38</sup> The fact that reporting mechanisms are now digital, and women are less likely to have access to a phone, and often share their digital devices, puts them at a significant disadvantage. It also makes it very hard to estimate the actual frequency of domestic violence and its increase, considering that many reports couldn't be made as these women didn't have a phone through which to make them.

#### *Access to a phone is a major barrier to reporting and preventing domestic violence<sup>39</sup>*

In India, men account for 67% of the online population.<sup>40</sup> In South Asia, women are 70% less likely than men to have a smartphone, and an OECD report found that the digital gender divide is increasing, not decreasing. The divide is exacerbated in rural areas, where (in India) women “are 27% less likely to own a basic mobile phone” (14% in urban areas) and “72% less likely to own a smart phone” (63% in urban areas).<sup>41</sup> Women are also more likely to be using shared phones, where male co-users are given priority in usage.<sup>42</sup>

Despite the fact that “the utility of helplines is limited to a small section of distressed women who can access a phone”,<sup>43</sup> India has seen a spike in calls to domestic violence helplines. The NCW received 1,477 complaints of violence between the 25<sup>th</sup> of March and 31<sup>st</sup> of May, 2020 – almost 1.5 times the complaints received in the same period in 2019 (607).<sup>44</sup> A spike in calls to 181, the women's helpline number, has also been recorded.<sup>45</sup>

During a multi-stakeholder consultation on ‘Mainstreaming Women with Disabilities’ organized by the NCW, a member of a foundation for hearing-impaired persons stated that interpreters need to be provided for a 24/7 helpline service, particularly during the COVID crisis, to facilitate access.<sup>46</sup> The same holds true for domestic and cyber violence helplines.

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<sup>38</sup> <https://www.thehindu.com/news/national/ncw-records-sharp-spike-in-domestic-violence-amid-lockdown/article31835105.ece>

<sup>39</sup> For a more detailed analysis, please see: <http://www.oecd.org/internet/bridging-the-digital-gender-divide.pdf>

<sup>40</sup> <https://www.hindustantimes.com/analysis/how-covid-19-invisibilises-concerns-of-women-girls/story-rRJMnaeAJ6SD0ILn8xBdkJ.html>

<sup>41</sup> <http://www.oecd.org/internet/bridging-the-digital-gender-divide.pdf>

<sup>42</sup> <https://www.hindustantimes.com/world-news/indian-women-25-less-likely-to-own-mobile-phones-oxford/story-CJsgJzhvjzcdk9g7nrMO.html>

<sup>43</sup> <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>

<sup>44</sup> <https://www.thehindu.com/news/national/ncw-records-sharp-spike-in-domestic-violence-amid-lockdown/article31835105.ece>; “Between 23 March and 16 April 2020 - roughly the first three weeks of the lockdown - the commission received 239 complaints of domestic violence. This was a significant jump from the 123 complaints it received in the month leading up to the lockdown.” (Rekha Sharma, chairperson of the NCW). <https://www.bbc.com/news/world-asia-india-52846304>

<sup>45</sup> <https://www.firstpost.com/health/coronavirus-outbreak-anxiety-in-times-of-covid-19-domestic-violence-and-cyber-crime-helplines-in-assam-havent-stopped-ringing-since-lockdown-8254801.html>

<sup>46</sup> Webinar on ‘Mainstreaming Women with Disabilities- a Multi-Stakeholder Consultation’, held by the NCW on 12 June; <https://twitter.com/MinistryWCD/status/1271046326336155649>



Digital violence is also reported online – the government has a cybercrime portal online, where reports can be filed under various headings, and a helpline that functions between 9 am and 6 pm.<sup>47</sup> Research, however, has found that police and cybercrime units in India prioritise monetary fraud – a ‘quantifiable’ harm, in their eyes – over other forms of violence.<sup>48</sup>

### ***Multiple socio-cultural barriers make it hard to report violence***

The NFHS-4 report found that only 14% of women experiencing violence sought help to stop it.<sup>49</sup> This aversion or inability to report violence can be a result of several factors, including socio-cultural and patriarchal norms,<sup>50</sup> women’s lack of knowledge of and access to technology and redressal mechanisms<sup>51</sup> and, during this lockdown in particular, a lack of privacy in which to reach out for help. A symptom of this lack of privacy is women calling into 24-hour helplines and telling their story “in instalments”.<sup>52</sup>

With the lockdown, women are now cut off from their support systems, and living with their abusers. There is a fear that reporting and combatting the violence they face will only make things worse. Stories of this fear coming true also circulate, further compounding this aversion to reporting.<sup>53</sup> Lakshmi, reported her abusive husband to the police, but they refused to register a complaint, and inadvertently escalated the situation instead. “My life is as uncertain as the lockdown,” she says, having been forced to flee to her parents’ house with her daughter.<sup>54</sup>

LGBTQ persons who are dependent on families and/or live with families who are unaccepting and/or unaware of their identities are particularly vulnerable, now stuck at home with homophobic and transphobic families with their movements restricted. Here too, friends and communities who form their support systems are only accessible virtually, and there are physical restrictions preventing their escape from harmful spaces. “Losing our sense of ‘community’” is noted as the biggest hurdle faced by the LGBTQ community during this time.<sup>55</sup>

### ***Institutional apathy means low conviction rates, and a lack of trust***

Low conviction rates are key barriers to reporting: 2017-18 saw a rise in reported cases of cyberbullying, but a fall in conviction rates,<sup>56</sup> which doesn’t bode well for the situation today. India does have laws to protect its citizens against domestic violence, but these laws are badly implemented, if at all.<sup>57</sup> Government denial – Smriti Irani, India’s Minister for Women and Child Development and Textiles, termed the reports of an increase in domestic violence

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While the inclusion of people with disabilities does occasionally happen, as seen in Khabri’s COVID-19 helpline geared towards people with visual disabilities, this needs to become common practice. <https://www.firstpost.com/tech/news-analysis/coronavirus-outbreak-khabri-introduces-covid-19-helpline-number-for-blind-and-visually-impaired-8246211.html>

<sup>47</sup> <https://cybercrime.gov.in/Webform/FAQ.aspx>; <https://cybercrime.gov.in/Webform/Helpline.aspx>

<sup>48</sup> <https://www.medianama.com/2020/06/223-encryption-online-violence-against-women/>

<sup>49</sup> <https://www.bbc.com/news/world-asia-india-52846304>

<sup>50</sup> <https://www.aljazeera.com/indepth/opinion/violence-women-collective-guilt-india-191211110150717.html>;

<https://www.bbc.com/news/world-asia-india-52846304>

<sup>51</sup> <https://theswaddle.com/domestic-violence-victims-need-more-than-hotline-numbers-during-lockdown/>

<sup>52</sup> <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>

<sup>53</sup> <https://theswaddle.com/domestic-violence-victims-need-more-than-hotline-numbers-during-lockdown/>

<sup>54</sup> <https://www.bbc.com/news/world-asia-india-52846304>

<sup>55</sup> <https://www.vogue.in/culture-and-living/content/queerantime-how-indias-lgbtq-community-is-surviving-the-lockdown-part-2>

<sup>56</sup> <https://scroll.in/article/956085/in-one-year-alone-cyberbullying-of-indian-women-and-teenagers-rose-by-36>

<sup>57</sup> <https://www.indialegallive.com/special/house-of-horrors-2>; the same holds true for online violence:

<https://www.aljazeera.com/indepth/opinion/time-address-online-violence-women-india-180513095849630.html>

‘scaremongering’<sup>58</sup> – paired with the apathy of our police, whose attention is on enforcing the lockdown, make reporting during COVID-19 even harder.<sup>59</sup>

In the case of marginalised and/or stigmatised communities, access to justice (or safe spaces)<sup>60</sup> is further hindered by mobility and communication issues, lack of government and institutional sensitisation,<sup>61</sup> and widespread stigma and stereotyping. Widespread if not complete diversion of medical and justice-provision has had devastating ramifications on mental health, access to medication and support (particularly for women with disabilities and LGBTQ persons),<sup>62</sup> and human rights in general.<sup>63</sup>

### ***Platform-based reporting mechanisms are ineffective, and often counter-productive***

Social media platforms are hotbeds of online violence against women, and this often has a silencing effect. Platforms aren’t doing enough, nor are they being held accountable in the ways they should be.<sup>64</sup> Globally, existing redressal mechanisms, including moderators, are overwhelmed by the pandemic.<sup>65</sup> India is arguably even worse off, as social media platforms fail to incorporate the realities of caste-based violence into their community standards and algorithms, thus intersections of violence particular to/dominant in India slip through the cracks.<sup>66</sup>

And yet, the acts of violence perpetrated against these groups are often simply not ‘seen’, whether by algorithms, or by the stakeholders whose responsibility it is to uphold their human rights.

For example, Facebook’s Community Standards are not yet localized for many of India’s major languages,<sup>67</sup> and the platform lacks clear hate speech reporting mechanisms for Indian caste-oppressed minorities. Facebook experiments in real time with “workflows” for reporting hate speech, which means that their definition of “hate-speech” is fluid and changing, and “social caste” is often not available as an option when reporting a particular

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<sup>58</sup> <https://www.thehindu.com/news/national/irani-denies-domestic-violence-increase-during-lockdown/article31776591.ece>

<sup>59</sup> According to the NCW, there has been an almost threefold rise in complaints regarding police response to reports of domestic violence, rising from 6 to 16 over the month of March. <https://www.thehindu.com/news/national/covid-19-lockdown-spike-in-domestic-violence-says-ncw/article31238659.ece>

<sup>60</sup> Several LGBTQ persons and activists have spoken about the dangers of being locked in with families who are unaccepting, and its effect on one’s mental and sometimes physical health. “I live with my parents and I’ve had a rough time since the beginning of the lockdown. They know about me, but aren’t accepting of my identity and often make fun of me and bully me. Before the lockdown, I often stayed out after work to avoid being with them, choosing to spend the evening at a cafe and return home by 10pm. Now I have no choice but to tolerate their taunts and their bullying,” shares Dan.

<sup>61</sup> <https://timesofindia.indiatimes.com/india/how-covid-19-lockdown-has-hit-disabled-people-hard/articleshow/75003358.cms>

<sup>62</sup> <https://thewire.in/rights/lockdown-leaves-persons-with-disabilities-stranded-without-caregivers>; <https://www.vogue.in/culture-and-living/content/lgbtq-indians-on-navigating-self-isolation-love-and-mental-health-in-the-time-of-the-coronavirus>

<sup>63</sup> For example, a study conducted by Ipas Development Foundation found that around 1.85 million women’s access to abortions was compromised by the nationwide restrictions put into place from the 25<sup>th</sup> of March.

<https://www.nationalheraldindia.com/national/covid-19-lockdown-185-million-women-in-india-seeking-abortion-could-not-access-timely-help-or-service>

<sup>64</sup> <https://theconversation.com/as-use-of-digital-platforms-surges-well-need-stronger-global-efforts-to-protect-human-rights-online-135678>

<sup>65</sup> <https://www.brookings.edu/techstream/covid-19-is-triggering-a-massive-experiment-in-algorithmic-content-moderation/>;

<https://www.cnbc.com/2020/06/08/twitter-5g-coronavirus.html>; <https://genderit.org/feminist-talk/cummunty-standards>

<sup>66</sup> <https://www.nytimes.com/2018/12/03/opinion/twitter-india-caste-trolls.html>

<sup>67</sup> TikTok, on the other hand, claims to moderate videos in 15 different Indian languages including Hindi, Bengali, Gujarati, Tamil, Telugu and others. <https://www.newindianexpress.com/states/tamil-nadu/2019/sep/22/shame-old-story-casteist-voices-in-tamil-nadu-find-new-platform-in-tiktok-2037173.html>. Despite this, it has been heavily critiqued for failing to apply its community standards proactively. <https://timesofindia.indiatimes.com/india/how-women-became-punching-bags-in-the-name-of-viral-content/articleshow/76189702.cms>

post.<sup>68</sup> In fact, Facebook is unable to track caste and religious hate speech disaggregated by category. Such data is critical to identifying hate speech by scope and scale.<sup>69</sup>

Even when posts are taken down, they are often restored, or the algorithms take other content down with them (which is not restored). Equality Labs, ‘a South Asian American human rights start-up’,<sup>70</sup> published a report on trends on Facebook in 2019. The report found that the largest proportion of hate speech (37%) was Islamophobic content, followed by caste and gender-based violence (16% each). Further, 1 in 4 posts containing gender/sexuality hate speech were transphobic or queerphobic. Nearly half of these called for or glorified rape and other forms of sexual violence as well. 43% of all initially removed posts were found to have been restored after an average period of 90 days from the date of reporting. Shockingly, 100% of all restored posts were Islamophobic in nature.

This report also found that the rhetoric of anti-reservationism made up 40% of all caste-ist hate speech.<sup>71</sup> When Facebook banned and removed pages in an attempt to curb hate speech, it also removed prominent pages such as Dalit Bahujan news outlets and pages like National Dastak and Ambedkar’s Caravan, both of which have a following in the lakhs, and are some of the loudest voices relating to Dalit-Bahujan and minority issues. These bans have led Velivada, another Dalit outlet, to ask, “Who is afraid of Digital Dalits?”<sup>72</sup> The constantly evolving memes and narratives at play in the heart of hate speech must be met with an equally nimble process to contain them.<sup>73</sup>

#### 4. Recommendations

As already mentioned, not only are women disproportionately affected by online violence, their intersecting identities often result in heightened vulnerabilities. Rampant sexism, misogyny, queerphobia, transphobia, Islamophobia and caste-based abuse, among others, create toxic spaces online, and propagates toxic worldviews offline.

Survivors of domestic violence are having to go online to report it, to access information and support systems – online spaces also serve as an escape, or a distraction. That online spaces are not safe either is a further act of violence, to say the least.

In light of this, we recommend the following:

1. States need to take cognizance of the interplay between online and offline spaces, and address the safety of women and marginalised communities in the context of both.
2. States need to identify communities who are vulnerable during the COVID-19 crisis, and take targeted steps to ensure their rights and safety when addressing the pandemic, integrating their needs as early in the process as possible.
3. States need to recognise the violence experienced by queer and trans persons in domestic spaces by biological families, and locate this within the larger gamut of domestic violence.

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<sup>68</sup>[https://static1.squarespace.com/static/58347d04bebafeb1e66df84c/t/5d0074f67458550001c56af1/1560311033798/Facebook\\_India\\_Report\\_Equality\\_Labs.pdf](https://static1.squarespace.com/static/58347d04bebafeb1e66df84c/t/5d0074f67458550001c56af1/1560311033798/Facebook_India_Report_Equality_Labs.pdf)

<sup>69</sup> [www.equalitylabs.org/facebookindiareport/#key-findings](http://www.equalitylabs.org/facebookindiareport/#key-findings).

<sup>70</sup> <https://www.equalitylabs.org/about>

<sup>71</sup> Additional casteist posts included caste-based slurs, derogatory references to caste-based occupations such as manual scavenging, anti-Ambedkar posts, and anti-inter-caste love union posts.

<sup>72</sup> <https://velivada.com/2017/07/05/manusmriti-rules-facebook-bans-national-dastak-posts/>

<sup>73</sup> [www.equalitylabs.org/facebookindiareport/#key-findings](http://www.equalitylabs.org/facebookindiareport/#key-findings).

4. States need to ensure virtual and physical health care access and support for HIV-infected persons and persons undergoing gender-affirming processes, including access to necessary medication and hormones etc., as well as continued access to abortions, gynaecological care, and other health needs.
5. Various stakeholders need to ensure that helplines and complaint portals are accessible to all, as is information pertaining to these services.
6. Access to internet, text messages, and phone calls should be prioritised and should not be reliant on recharges.
7. The police and other groups involved in the justice process need to be sensitised and trained to deal with the whole gamut of intersectional experiences of violence, as laid out above.
8. States need to put into place laws and measures to address the gender-based violence faced by LGBTQ persons in physical and digital spaces.
9. Online hate speech needs to be addressed by the state as well as people in positions of power, with a focus on LGBTQ persons, caste-based violence and Islamophobia fuelled by right-wing ideologies.
10. Social media platforms need transparent and responsive reporting mechanisms to address the online gender-based violence faced by various communities.

Addressing gender-based violence within the home is critical, and as the Special Rapporteur has already argued in her report to the Human Rights Council, “it is often difficult to distinguish the consequences of actions that are initiated in digital environments from offline realities”.<sup>74</sup> When we think of domestic violence in the digital age, particularly during a lockdown in which many of us use digital devices to work, we cannot not think of devices within the home, and the violence perpetrated through them. This is, as the Special Rapporteur argued, a human rights issue: women and other marginalised genders have a right to be protected from human rights violations that occur in the home, and digital and ICT\* facilitated violence firmly occupies this space. It is essential that digital violence be made an explicit component of domestic violence, and steps taken to address domestic violence must consider digital violence to be within their purview.

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<sup>74</sup> <https://digitallibrary.un.org/record/1641160?ln=en#record-files-collapse-header>