

GLOBAL INFORMATION SOCIETY WATCH 2013

Women's rights, gender and ICTs



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Digital Empowerment Foundation

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Introduction

“Equal access to participation and decision making by women in the social, political and economic life of the nation,” states the National Policy for the Empowerment of Women presented by the Ministry of Women and Child Development in 2001.¹ But the truth is that women in India are still struggling in a male-dominated culture despite various efforts made by a number of organisations to introduce gender equality in the society.

According to the National Crime Records Bureau, a total of 244,270 incidents of crime against women were reported in 2012 compared to 228,650 in 2011 – an increase of 6.4% during 2012.² But these crimes are not limited to the offline environment. For example, a well-known journalist and prominent face on Indian television news, Sagarika Ghose, was threatened online on her Twitter account.³ A similar online attack was experienced by Kavita Krishnan, secretary of the All India Progressive Women's Association and a prominent Delhi-based women's activist, during a recent online discussion on violence against women on Rediff.com.⁴ Writer and activist Meena Kandasamy chose to file a police complaint when she faced online abuse via Twitter in connection with a beef-eating festival at Osmania University in the city of Hyderabad. She was threatened with “live-telecasted gang-rape and being torched alive and acid attacks.”⁵

On 18 November 2012, two girls in Mumbai were arrested by police over their Facebook post after they questioned the shutdown of the city due to the death of local politician Bal Thackeray. They were arrested under Article 66A of the Information

Technology Act (IT Act).⁶ According to the act, “(a) any information that is grossly offensive or has a menacing character; or (b) any information which [is known to be] false, [and distributed for] the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will...” can be punishable with imprisonment for a term which may extend to three years or with a fine.⁷

Information and communications technologies (ICTs) have been identified as a potential tool to empower women and to promote democratic values. But social media have become an easy platform for online violence, reflecting the worst instincts of gender inequality. Empowering women from all classes must be ensured at any cost.

Inequality

The United Nations report *Women 2000 and Beyond: Gender Equality and the Empowerment of Women through ICTs*⁸ not only highlights the potential of ICTs as a tool for the promotion of gender equality and the empowerment of women, but also identifies the “gender divide” – that is, the lower number of women accessing and using ICTs compared with men.

Women represent 48% of the Indian population,⁹ but India is one of the lowest performing countries according to the UNDP's Gender Inequality Index,¹⁰ ranking 132 out of 186 countries – worse than Pakistan (123) and Bangladesh (111). Interestingly, India has been the fastest growing internet market, adding over 18 million users with a growth rate of 41%, but women comprise just 17% of total internet users, according to the 2007 *Internet in India (I-Cube)* report,¹¹ revealing a major gender gap.

In Indian society, disparity between men and women is blatantly glaring economically and social-

1 wcd.nic.in/empwomen.htm

2 ncrb.gov.in/CD-CII2012/cii-2012/Chapter%205.pdf

3 www.bbc.co.uk/news/world-asia-india-22378366

4 articles.timesofindia.indiatimes.com/2013-05-05/social-media/39041682_1_sexual-abuse-menendez-case-non-working-women

5 kafila.org/2012/04/22/nwmi-condemns-the-violent-abuse-of-meena-kandasamy/

6 indiatoday.intoday.in/story/2-mumbai-girls-in-jail-for-tweet-against-bal-thackeray/1/229846.html

7 cis-india.org/internet-governance/blog/breaking-down-section-66-a-of-the-it-act

8 www.un.org/womenwatch/daw/public/W2000andBeyond.html

9 www.tradingeconomics.com/india/population-female-percent-of-total-wb-data.html

10 www.undp.org/content/dam/india/docs/In-the-News-2013/UNDP_India_in_the_news_1503201317.pdf

11 www.iamai.in/upload/research/11720111091101/icube_3nov11_56.pdf

ly. In the context of ICTs, the majority of women have been excluded from the “world wide web”. Women have also traditionally been excluded from the information society in general, due to factors working to their disadvantage such as lack of freedom of movement or low levels of education.

It is imperative for sustainable development in developing, over-populated countries like India for women to be free to use technologies to access education and services. The existing and persistent gender inequalities in the labour market, education and training opportunities, and the allocation of financial resources for entrepreneurship and business development, can negatively impact women’s potential to fully utilise ICTs for economic, social and political empowerment.

In India’s Vision 2020, a strategy for the country’s development, ICTs are earmarked as one of the vital tools to achieve developmental goals. According to a study by the International Centre for Research on Women on women’s entrepreneurship and use of information technology, women’s employment in the IT sector was approximately 35% in 2008, which is higher than other sectors. In general, the number of female workers is less than half the number of male workers: 68.4 percent of workers are men and 31.6 percent are women, according to the 2011 Census.¹²

Policy and political background

Women in India have long been deprived of equal participation in the socioeconomic activities of the nation, despite the fact that the Constitution of India guarantees equality (Article 14) to all women,¹³ and the sustainability of India’s developmental efforts hinges on their equal participation in the social, political and economic fabric of the nation. Several articles in the constitution express provisions for affirmative action in favour of women, prohibiting all types of discrimination against women to enable them in all walks of life. Article 15 (1) guarantees no discrimination by the state, and equality of opportunity is guaranteed through Article 16.¹⁴ Article 51 (A) (e) guards against practices that are seen to be derogatory to the dignity of women and also allows for provisions to be made by the state for securing just and humane conditions of work and for maternity relief (Article 42). The constitution also recognises equality of the sexes and provides certain provi-

sions under the chapter on Fundamental Rights, but in actual practice they are observed more in breach than in compliance.

Feminist activism in India first picked up momentum in the 1970s when women activists came forward after an incident of custodial rape of a tribal girl, Mathura, in 1972.¹⁵ The protests were widely covered by the national media and forced the government to amend the Evidence Act, the Criminal Procedure Code and the Indian Penal Code, and introduced the category of custodial rape for the first time.

In 1985, the Department of Women and Child Development was set up as a part of the Ministry of Human Resource Development to give the much needed impetus to the holistic development of women and children.¹⁶ Later, the National Commission for Women (NCW) was set up as a statutory body in January 1992 under the National Commission for Women Act (1990) to review the constitutional and legal safeguards for women, recommend remedial legislative measures, facilitate redress of grievances and advise the government on all policy matters affecting women.¹⁷

The government of India ushered in the new millennium by declaring the year 2001 as “Women’s Empowerment Year”, focusing on a vision “where women are equal partners like men.” The National Mission for Empowerment of Women (NMEW) was formed in 2010 on International Women’s Day, with the aim of strengthening the all-round developmental context for women.

Yet in spite of the various government policies and programmes that have been initiated, Indian women continue to lag behind men in education, employment, health and political empowerment. Statistics such as a sex ratio of 940,¹⁸ a female literacy rate of 53.7%,¹⁹ maternal mortality of 450 per 100,000 live births, an adolescent fertility rate of 68 births per 1,000 live births, and a low level of representation of women in the legislature (below 10%) substantiate this assertion. Indian women suffer from lifelong subjugation, discrimination and exploitation. The plight of rural women is particularly dismal.

Despite numerous challenges, social actors have exploited new technologies as a tool for social transformation and gender equality in India. These new technologies have given power to go beyond issues of access and infrastructure to consider the larger social context and power relations.

12 censusindia.gov.in/Census_And_You/economic_activity.aspx

13 Constitution of India; Article 14: <http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock%202Pg.Rom8F5ss%286%29.pdf>

14 Constitution of India; Article 16: lawmin.nic.in/olwing/coi/coi-english/Const.Pock%202Pg.Rom8F5ss%286%29.pdf

15 Mathura Rape Case: en.wikipedia.org/wiki/Mathura_rape_case

16 The Department of Women and Child Development: wcd.nic.in/

17 National Commission for Women: ncw.nic.in/

18 www.indiaonlinepages.com/population/sex-ratio-of-india.html

19 Female Literacy rate: censusindia.gov.in/Census_And_You/literacy_and_level_of_education.aspx

Using ICTs in support of women's rights

Women's empowerment is defined as "women's ability to make their strategic life choices where that ability had been previously denied them."²⁰ New ICT technologies have provided women opportunities to reorganise economic activities in ways that can bypass the traditional male-dominated society. In many examples, ICTs have opened up a direct window for women to the outside world. In 1972, the Self-Employed Women's Association (SEWA),²¹ a Gujarat-based organisation, was the first organisation to realise the potential of using IT for growing productivity in the informal sector. In an effort to provide computer literacy to their "barefoot managers", SEWA established its Technology Centres in 11 districts of Gujarat. The aim was to build the capacity of women organisers and leaders and strengthen the micro enterprises of SEWA members. While more and more women are getting online, rural women who are remote from the urban centres are falling behind in the access stakes.

60 million women in India online

Out of the total 150 million internet users in the country, around 60 million women in India are now online and use the internet to manage their day-to-day life, according to a new report by Google India. Women have easy access to internet at homes, cyber cafés and offices and there is a growing adoption of smartphones. Women who are online are relatively more affluent and younger – 75% are in the 15-34 age group, with over 24 million women accessing the internet daily.

Source: The Women & Web Study, Google India, 2013

According to the National Family Health Survey, India has the highest number of cases of anaemia in the world. Almost 79.1% of India's children between the ages of three and six and 56.2% of married women in the age group 15-49 were found to be anaemic in 2006. Almost 20% of maternal deaths are caused directly by iron-deficiency anaemia, which is a contributory factor in 20% more deaths.

In an effort to bridge the gap in delivery of health services, projects like e-Mamta, initiated by the state government of Gujarat and the National Rural Health Mission (NRHM), have enabled pregnant women to receive health information on their mobile devices.

The Datamation Foundation²² initiated a project for Muslim women living in the slum areas of Delhi in 2003, and established an ICT centre to link resource-poor women to the information and tools for knowledge management. This ICT centre has created self-confidence in women, an awareness of their interesting lives, and enabled them to take collective decisions.

A Pune-based voluntary organisation, Savitri Marketing Institution for Ladies Empowerment (SMILE), has enabled women entrepreneurs to sell their products like soft toys, candles, bags, utility items, etc.²³

This revolution in the use of ICTs is not only limited to urban-centric women's organisations, but has also inspired rural women, particularly those who are poor and illiterate. One example is of a 55-year school dropout, Nortri Bai, living in a desert state of western India, Rajasthan. She can hardly speak any language besides her local dialect, but she uses a computer to disseminate water-related information to 11 villages.²⁴

In India, there are 700 million mobile phone subscribers, and 97 million people access the internet through their mobile phones. With the revolution of the mobile phone in India as an affordable means of communication, Indian women have started using mobile phones not only as a social communication tool but also as a tool to communicate with frontline health workers, receiving health information, safety alerts, etc.

Women community health workers in Bihar state use an interactive voice response (IVR) feature on the mobile phone with special-coded keys, called Mobile Kunji, to communicate with pregnant women while counselling them.²⁵ The mobile app, Helpls, allows women to ask for help when they are in danger even if they do not have internet access.

Last year's brutal rape and murder of a 23-year-old girl in Delhi sparked a nationwide outcry. Women's organisations, activists, media groups and protestors joined together over the issue of women's safety and security, not only through offline vigils, but

²² Datamation Foundation: www.datamationfoundation.org

²³ SMILE Foundation: smilepune.org/

²⁴ Nortri Bai: news.bbc.co.uk/2/hi/technology/2940242.stm

²⁵ Mobile Kunji: www.bbc.co.uk/mediaaction/where_we_work/asia/india/india_sdp_empowering_chw_ma_mk.html

²⁰ josiah.berkeley.edu/2007Fall/ER275/Readings/DP3/kabeer-dev_ch-99.pdf

²¹ www.sewa.org

also by using social media as a platform for venting outrage and lending solidarity to street protestors.

Within four days of the incident, the online petition site, Change.org, received over 65,000 signatures after an appeal to sign the petition, “President, CJI: Stop Rape Now!”²⁶ The appeal was initiated by ex-journalist Namita Bhandare, and sought the intervention of President Pranab Mukherjee and Chief Justice of India Altamas Kabir. Netizens also created their own online petitions such as “Death to Rape and Rapists in India: Death Penalty to Rapists”,²⁷ and “Death Penalty For Rapists”,²⁸ seeking capital punishment for the accused.

Internet users used social media sites like Facebook, WhatsApp and Twitter and replaced their profile photo with a “Black Dot”, signifying “shame in a country where women are unsafe.”²⁹ Within 10 days of the incident, Facebook groups such as “Gang Raped in Delhi”,³⁰ created on 20 December 2012, and “Delhi for Women’s Safety”, created on 18 December 2012, received 5,046 and 4.263 “likes” respectively.

While Facebook called for mass protests, Twitter witnessed moment-by-moment reports by protestors. Twitter has about 16 million users in India, and has been abuzz with news of the protests. Hashtags such as #Damini and #Nirbhaya (a name created for the victim), #JantarMantar, #Delhirape, #DelhiProtest, #IndiaGate, #stopthisshame, #RapeFreeIndia, #braveheart, #delhigangrape, #StopCrimeAgainstWomen, and many more emerged.

After outrage and protests erupted, four businesswomen set up Safecity.in, a website set up to identify locations where women have experienced or witnessed any type of sexual harassment. The website works with a concept it calls “Pin the Creeps”, allowing women to report incidents of harassment and abuse. The mobile app FightBack was also launched by Anand Mahindra, chairman of the automobile company Mahindra. This allows women to seek emergency help. The app sends SMS messages to emergency contacts if a woman presses a panic button. It also flashes the live alert page of a web portal, and can update a user’s Facebook wall.

The continued efforts of media and social media have created an atmosphere compelling the authorities to fast-track sexual assault cases. On 23 December 2013, a three-member committee was

formed, headed by Justice J. S. Verma, former Chief Justice of the Supreme Court. Its purpose was to recommend amendments to the Criminal Law so as to provide for quicker trial and stronger punishments for criminals accused of committing sexual assault against women.³¹ As a result, the draft Anti-Rape Bill – Criminal Law (Amendment) Bill, 2013 – was presented in the parliament on 22 March 2013.³²

Conclusion

Swift technological change and increasing urbanisation have put the internet in the hands of more people than ever before, and in the coming years, these factors will continue to reduce the impediments that women and girls face in accessing the internet. Broadband and 3G access in urban areas will continue to increase. More women will be pulled online by their interests, social networks, and improved accessibility. However, without long-term, dedicated interventions, rural women will potentially fall farther behind, as will women and girls at the bottom of the social pyramid.

More affordable technology penetration alone will not help women gain awareness of the internet’s benefits, improve their technological skills, or reduce the effects of confining gender norms. Without help reducing these barriers to access, women and girls risk getting left out of a world that is increasingly connected. With rapid structural change afoot, there has never been a better time to help women and girls realise the transformative potential of the internet. All stakeholders should work hard in the upcoming years to remove the bottlenecks. Doing so will give women and girls the tools to imagine and live better lives, not only for themselves, but for their nations and of course for the world.

Action steps

In an effort to create an enabling environment and to support women’s social and economic empowerment through ICTs, action needs to be taken by different actors – at local, regional, national and international levels. The recommended action steps are:

- Adopt legislative, regulatory and administrative measures and approaches to encourage the participation of women in the ICT arena, and in particular, adopt legislation in ICT-specific sectoral areas to address gender equality and create monitoring frameworks and capacity to ensure implementation of these frameworks.

26 www.change.org/petitions/president-cji-stop-rape-now

27 www.change.org/petitions/death-to-rape-and-rapists-in-india-death-penalty-to-rapists

28 www.ipetitions.com/petition/death-penalty-for-rapists

29 articles.timesofindia.indiatimes.com/2012-12-21/chandigarh/35952817_1_delhi-gangrape-city-student-dot

30 www.facebook.com/pages/Gang-Raped-in-Delhi/416228328446678

31 www.prsindia.org/uploads/media/Justice%20verma%20committee/js%20verma%20committee%20report.pdf

32 www.thehindu.com/news/national/antirape-bill-passed/article4534056.ece

- Develop gender-sensitive technical and regulatory instruments when addressing ICT policy issues such as universal access, regulatory frameworks, licensing, tariff plans, spectrum allocation, infrastructure, and labour policies. Attention is required in drawing up a list of ICT policy issues and integrating gender issues in this.
- Encourage and facilitate collaborative action for gender equality among government bodies responsible for ICTs.
- There is a need to understand that ICT training, adoption and use must be “gender neutral”.
- NGOs and the government should come together to develop poverty alleviation programmes through women-centric initiatives, in particular circumventing the problems of liberal development. Self-help groups are formed by government agencies or NGOs to benefit women members economically and socially by helping them engage in micro-entrepreneurship activities and share generated income between themselves. Women in India derive access to low-cost financial services and learn a process of self-management and development. These self-help groups can help women take social action, accumulate social capital, practice better economic viability and demonstrate a greater sustainability than individual-based models for women’s empowerment.
- It is envisaged that the Mobile-based Value Added Services (mVAS)³³ launched by the government of India will provide rural self-help groups with education, information and training, access to occupational opportunities, markets, financial services, government programmes, health agencies/workers, social agencies/workers, feedback mechanisms, support systems, networking, etc. These self-help groups should be supported by rights organisations working in the field of ICTs.
- There is a need to push basic communications services (and by extension, markets) into the rural regions of the country.
- Women-centric organisations need to be engaged in decision making concerning the development of new technologies in order to participate in their growth and impact.
- In India, there are 2.5 million *panchayat* (local self-government body) members and 2.2 million elected representatives of which nearly a million

are women.³⁴ However, the patriarchal culture of restricting women to the family domain limits their access to new technology. Apparently, the husbands or other male relatives of approximately 89% of elected women representatives (who do not own mobile phones themselves) have mobile phones. This clearly shows that most male members of families are influencing power structures through their women representatives. Because of this, it is necessary for the Ministry of Panchayati Raj³⁵ to exclusively target the elected women representatives and have special capacity-building sessions with them on how to use mobile phones. Through this it should develop strategic plans to move to mobile governance through these representatives.

- In the absence of any specific ICT agenda for women, who constitute half of India’s population, do we need a “Gender ICT Policy” for the country? This policy will certainly go a long way to increase ICT access by women, especially in rural and remote locations, and for those who are marginalised among tribal peoples and minorities. This policy framework can take up specific interventions such as an ICT fellowship programme for women, digital literacy for women, and access and connectivity cafés for women only. The critical ministries in this endeavour could be the Ministry of Women and Child Development in alignment with the Ministry of Communications and IT, with collaborative support from bilateral agencies such as UNDP or UN Women.
- A gender gap in internet policy and gender-focused research in India does not expressly prevent women’s internet access, but it does restrict its ability to grow. On the policy front, government policies already aim at increasing internet access for the general population, specifically with the rapid take-up of broadband. For example, India has adopted national plans to expand broadband access. Such ICT policy plans are created without reference to gender-specific barriers that women and girls often face, such as safe access to public internet sites. However, a root challenge remains the lack of experts at the intersection of technology and gender, and this needs to be addressed. ■

34 web.undp.org/comtoolkit/success-stories/ASIA-india-demgov2.shtml

35 www.panchayat.gov.in

33 pib.nic.in/newsite/erelease.aspx?relid=70578