

GLOBAL INFORMATION SOCIETY WATCH 2015

Sexual rights and the internet



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND HUMANIST INSTITUTE FOR COOPERATION WITH DEVELOPING COUNTRIES (Hivos)

Global Information Society Watch 2015

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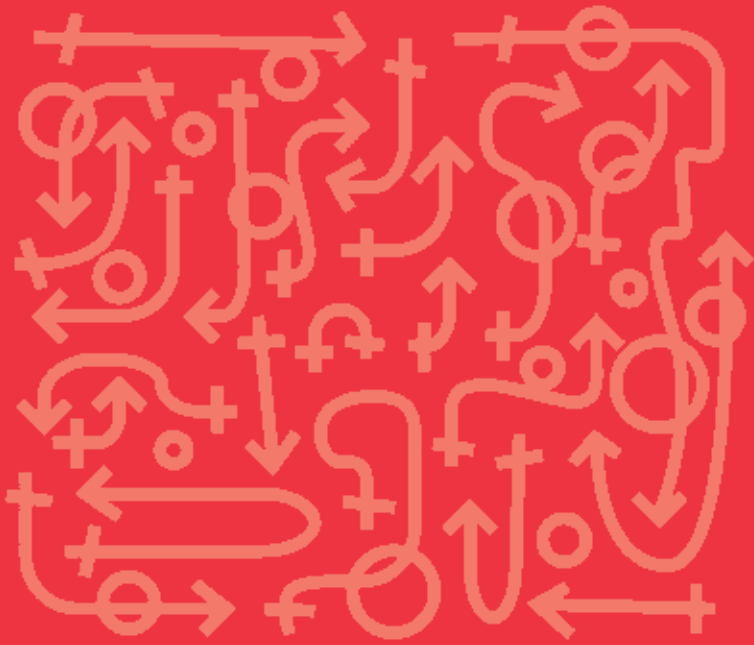
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COUNTRY REPORTS



“Be obedient, be normal, do not stand out...”

Alan Finlay

For many, sexuality goes to the heart of who we are as human beings. As these country reports show, it can be both an intensely private negotiation, and an issue of direct public and political expression. It involves closed communities, but also open Pride parades. It can be a profoundly intellectual encounter – it can be thought through, in a rational-critical way – as much as it is about a process of self-realisation. It involves othering, saming, rejection, inclusion, risk, fear, both voice and voicelessness, politics, power, abuse and persecution. For some, it re-awakens painful encounters with the past, as Wolf Ludwig, author of the Switzerland report, shared in email correspondence:

When I first heard about the 2015 subject, I was not delighted and didn't understand why. When I started I realised that I was emotionally rather close and “touched” from my study years and many gay friends [some of whom were World War II Holocaust survivors persecuted for being homosexual] – and it's part of my history. At the beginning I thought this “lack of distance” is a handicap for writing this report; then I realised it may be an advantage as well – by using my personal experiences to enable reflection.

A number of previous GISWatch authors declined the invitation to write a report this year, stating that it was too dangerous to do so. One author submitted a report, but expressed his ambivalence of speaking on behalf of others, with the clear instruction to alert him to any sensitivities he might not be aware of (a careful concern that was admirable). There was some debate around “who gets to speak for whom”, and in the cases of countries like Russia and Iraq, where we worked with past GISWatch authors who are not nationals but who have notable experience of the countries they write about, we asked the authors to be in close contact with locally based organisations, or to reflect their views.

The topics dealt with in these reports are diverse. Inevitably many of them deal with the rights of marginalised lesbian, gay, bisexual, transgender and queer (LGBTQ)¹ communities, and the effec-

tiveness of and challenges faced by pro-LGBTQ campaigns online. Others, however, offer specific analyses of legal environments for sexual rights (see Canada for an exceptional example of this). The active role of religious, cultural and patriarchal establishments in squashing sexual rights is a frequent concern – for example, same-sex marriages and the right of same-sex couples to adopt bring activists in clear conflict with institutions, notably the Catholic Church (see Italy and Colombia).

China, in this regard, offers a provocative alternative in so-called “contract marriages” – a phenomenon widespread in Asia – arguing that this poses a challenge to global feminist discourse. A similar – and controversial – cultural challenge to rights is presented by Japan, where freedom of expression advocates conflict with anti-child pornography advocates in the context of child pornography cartoons. Palestine shows the link between state surveillance and sexual harassment, while Nigeria suggests that sexual rights can be used as a diversion during presidential campaigns.

In a number of countries, there are positive developments. Australia offers a colourful account of how sexual rights can, over time, start to be incorporated into the mainstream: “1978 saw violent clashes between police and marchers in the first ever Gay Pride protest march in Sydney. A decade later police led the Mardi Gras parade, saluting the sexually diverse community, honouring the ‘78ers as they have become known, and celebrating drag queen iconoclasts.” In Bangladesh institutional programmes recognise and support third-gender people.

As in previous GISWatch reports, the difficulty many have in speaking about online versus offline experiences remains. Tactical Technology Collective, in discussing issues of online visibility and invisibility for LGBTQ groups in Kenya, offers a liberating analogy to counter the binary conception:

A Möbius Strip is a flat ribbon twisted once, and then attached end-to-end to form a circular twisted surface. Imagine an insect walking along its surface; at the beginning of the circular journey the insect is clearly on the outside,

¹ In these country reports, we have respected the authors' use of the various acronyms that express LGBTQ community and solidarity, such as LGBTI, LGBT* and LGBTIQ.

but it traverses the twisted ribbon without ever lifting its legs from the plane and ends up on the inside surface. This analogy is one way to think about experiences of visibility through technology.

Yet, while the internet offers a place of refuge, expression and support for LGBTQ communities, more and more, this refuge can be vulnerable, transient, invaded. LGBTQ activists are surveilled, subject to hate campaigns, have their emails hacked, and are beaten up.

In some countries, such as Sudan, the persecution of the LGBTQ community is public and brutal: “Nineteen men were lashed 30 times and fined 1,000 Sudanese pounds each. Their offence: cross-dressing and ‘womanly behaviour’ at a private party.” In Yemen homosexuality is punishable by death.

Activism, in these contexts, is dangerous:

The circulation of the information, which the government considers “immoral and against religion and tradition”, puts the group’s leaders at risk. Fatima, as well as others active in Freedom-Sudan campaigns, faces many challenges and difficulties. Her email account and Facebook page have been hacked several times. She received threatening messages, and her family and relatives have also been targeted. She has been forced to hide her identity on the internet and to stop her public activities defending LGBT rights.

Reports deal with the rights of sex workers. Cooperativa Eines (Spain) shows how the so-called “hacker ethic” that plays with the ideas of anonymity and publicity can also be effectively used to express solidarity with sex worker rights. In interviews with sex workers in Costa Rica, Sulá Batsú points out how securing the rights of sex workers involves understanding the violations of rights on several levels at once:

Maria’s case is evidence of how discrimination for being an immigrant, a woman and poor, in addition to the stereotypes associated to her work and the violence sex workers experience, were multiplied by the disregard of privacy on social networks and the unauthorised use of online content by traditional media.

The way in which sexual rights campaigns are communicated is crucial to activists. In Ukraine, despite it being controversial amongst some feminists, Femen’s public politicisation of the naked body stands out. In Lebanon, popular support for Jackie Chamoun, the Olympic skier who was criticised for posing semi-naked for a sports calendar, went viral – showing how support for sexual expression and rights can be a spontaneous and a widely supported concern.

Sex education in schools is a key issue addressed by authors. Nodo TAU offers a useful first-base analysis of ICT and sexual education programmes in Argentina, suggesting that a sexual education curriculum that works from the real-world experiences of learners as digital natives is missing. The Netherlands promotes a culture of mediation in schools – the *poldermodel* – in cases of criminal sexting, rather than a legal response. Brazil also suggests that legal remedies to school-level sexual cyber bullying and shaming are not the answer; rather, the structural causes of how this occurs in the first place need to be understood and remedied: “Teenagers are simply mirroring the structures of the adult world they find themselves in.”

As Queer Montenegro and One World Platform write of Montenegro, the patriarchal structure that children imitate – a structure of silences and silencing – is sometimes violently reinforced:

Within this frame children learn to adapt or to suffer in silence. It is considered rude to “talk back” to parents, even to ask legitimate questions. The rudeness is punished quite often with physical violence ranging from simple slaps to being beaten with a belt. So the overarching accepted norms are: be obedient, be normal, do not stand out and do not provoke. Anyone who doesn’t comply gets punished. Adults punishing adults, parents punishing children, children punishing other children.

It is against this cycle of violence that these 57 country reports gathered here, in one way or another, pose a fundamental challenge.

Sexual rights and the internet

The theme for this edition of Global Information Society Watch (GISWatch) is sexual rights and the online world. The eight thematic reports introduce the theme from different perspectives, including the global policy landscape for sexual rights and the internet, the privatisation of spaces for free expression and engagement, the need to create a feminist internet, how to think about children and their vulnerabilities online, and consent and pornography online.

These thematic reports frame the 57 country reports that follow. The topics of the country reports are diverse, ranging from the challenges and possibilities that the internet offers lesbian, gay, bisexual, transgender and queer (LGBTQ) communities, to the active role of religious, cultural and patriarchal establishments in suppressing sexual rights, such as same-sex marriage and the right to legal abortion, to the rights of sex workers, violence against women online, and sex education in schools. Each country report includes a list of action steps for future advocacy.

The timing of this publication is critical: many across the globe are denied their sexual rights, some facing direct persecution for their sexuality (in several countries, homosexuality is a crime). While these reports seem to indicate that the internet does help in the expression and defence of sexual rights, they also show that in some contexts this potential is under threat – whether through the active use of the internet by conservative and reactionary groups, or through threats of harassment and violence.

The reports suggest that a radical revisiting of policy, legislation and practice is needed in many contexts to protect and promote the possibilities of the internet for ensuring that sexual rights are realised all over the world.

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2015 Report

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