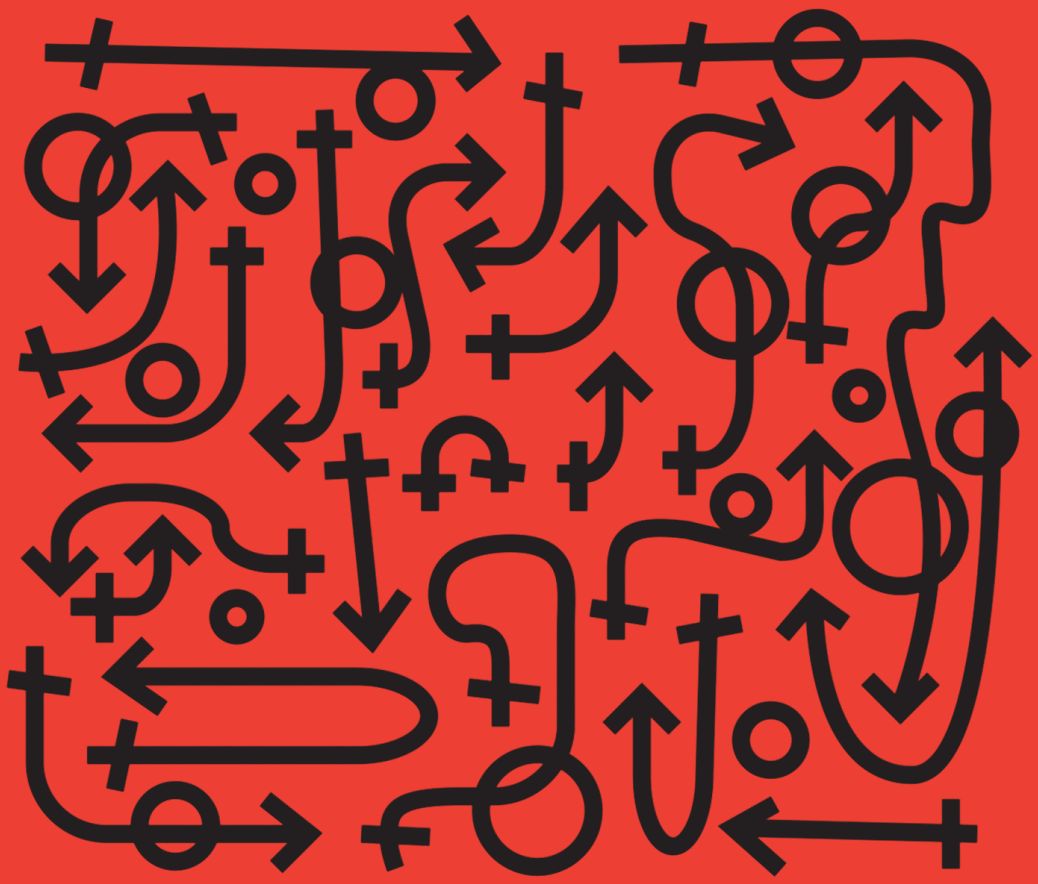
GLOBAL INFORMATION SOCIETY WATCH 2015

Sexual rights and the internet



Association for Progressive Communications (APC)
and Humanist Institute for Cooperation with Developing Countries (Hivos)

Global Information Society Watch 2015
Sexual rights and the internet

Steering committee
Anriette Esterhuysen (APC)
Will Janssen (Hivos)

Coordinating committee
Monique Doppert (Hivos)
Valeria Betancourt (APC)
Mallory Knodel (APC)
Jac sm Kee (APC)
Nadine Moawad (APC)

Project coordinator
Roxana Bassi (APC)

Editor
Alan Finlay

Assistant editor, publication production
Lori Nordstrom (APC)

Proofreading
Valerie Dee
Stephanie Wildes

Graphic design
Monocromo
info@monocromo.com.uy
Phone: +598 2400 1685

Cover illustration
Matías Bervejillo

Financial support provided by
Humanist Institute for Cooperation with Developing Countries (Hivos)

Hivos

APC and Hivos would like to thank the Swedish International Development Cooperation Agency (Sida) for its support for Global Information Society Watch 2015.

Sida

Published by APC and Hivos
2015

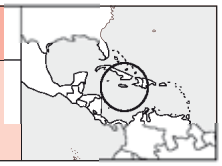
Printed in USA

Creative Commons Attribution 3.0 Licence
‹creativecommons.org/licenses/by-nc-nd/3.0›
Some rights reserved.

ISBN 978-92-95102-41-5
APC-201510-CIPP-R-EN-P-232

JAMAICA

SEXUAL SAFETY AND ICT SECURITY FOR SECONDARY SCHOOL GIRLS



Institute for Gender and Development Studies (IGDS), University of the West Indies (UWI), Caribbean Institute for Media and Communication (CARIMAC), UWI
Leith Dunn and Hopeton Dunn
carimac.com

Introduction

"Police probing Clarendon schoolgirl sex videos" was the newspaper headline reporting that the Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA), of the Jamaica Constabulary Force, was probing a pornographic video being widely circulated on mobile devices. The video showed school girls engaging in sexual acts with each other, as well as with an adult male. The police reported that the man depicted in the video makes pornographic movies for sale on DVDs. The article also stated that the matter was being addressed at the level of the education minister, Ronald Thwaites. The minister said that at least one affected high school had already responded to news of the probe by the police. The school pupils were brought together with guidance counsellors and a disciplinary committee had been established that would be meeting the following week. The Ministry of Education would be sending personnel to the school and its advisors would remain as long as necessary to assist the school authorities. Reports of pornographic images on mobile devices involving adolescent girls and boys as well as adults have become more frequent in recent years with increased smartphone access and mobile penetration in Jamaica.

Policy and political background

The article raises several policy issues linked to the advantages and risks associated with access to technologies.

Jamaica's strong policy commitments to human rights and democracy over its 53 years of political independence (1962-2015) are reflected in the ratification of several international conventions to protect the rights of children and women, along with the adoption of laws and policies and development of institutional programmes to support these commitments.

The policy framework to protect children from sexual exploitation on the internet includes the Convention on the Rights of the Child (CRC),[1] the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW),[2] the Millennium Development Goals,[3] the Beijing Platform for Action,[4] Jamaica's strategic plan "Vision 2030 Jamaica",[5] the Child Care and Protection Act,[6] the National Policy for Gender Equality,[7] the Broadcasting Commission of Jamaica's Children's Code for Programming,[8] the Trafficking in Persons Act,[9] and reports from a National Anti-Trafficking Task Force[10] which focuses on prevention, prosecution, and protection of women and girls who are most at risk from human trafficking for sexual exploitation. The Programme of Action of the International Conference on Population and Development (ICPD POA) (1994) also highlights the need for action to address the sexual and reproductive risks associated with sexual violence.[11]

In Jamaica, as elsewhere, increased access to information and communications technologies (ICTs) has resulted from telecommunications policy reforms. The proportion of the population who are internet users now exceeds 50%[12] and access by children has also increased through a government programme to provide computer tablets and laptops to children in schools.[13]

Viral sex videos and Jamaican school girls

Behind the story of the viral video involving the Clarendon schoolgirls are Jamaica's many contradictions,

1 www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx
2 www.un.org/womenwatch/daw/cedaw
3 https://www.un.org/millenniumgoals
4 www.un.org/womenwatch/daw/beijing/platform
5 www.vision2030.gov.jm
6 moj.gov.jm/laws/child-care-and-protection-act-0
7 jcdc.gov.jm/uploads/advisories/NPGE%20BOOKLET%20web.pdf
8 www.broadcastingcommission.org/uploads/content_page_files/Childrens%20Code%20for%20Programming.pdf
9 moj.gov.jm/laws/trafficking-persons-prevention-supression-and-punishment
10 moj.gov.jm/stophumantrafficking
11 caribbean.unfpa.org/public/Home/Countries/Jamaica
12 www.internetworldstats.com/carib.htm
13 Hutchinson, R. (2014, 18 August). Importance of Schools Tablets Programme Underscored. *Jamaica Information Service*. jis.gov.jm/importance-schools-tablets-programme-underscored

TABLE 1.

Jamaica internet usage and population statistics

Year	Users	Population	Penetration (%)	GDP per capita
2000	60,000	2,597,100	2.3 %	USD 3,056
2002	600,000	2,675,504	22.4 %	USD 3,229
2006	1,067,000	2,692,569	39.6 %	USD 2,900
2008	1,500,000	2,804,332	53.5 %	USD 3,710
2014	1,581,100	2,950,210	53.6 %	USD 5,220

Source: United Nations Department of Economic and Social Affairs

challenges and inequalities. These reflect a growing concern that warrants analysis and interventions by gender or child rights advocates, internet advocates, media researchers, and parents, as well as government policy makers.

The report of sexual exploitation of adolescent girls through online videos is linked to similar stories available online with the following headlines: "Footage of Another Jamaican High School Female Viral Video Exposed 2015";[14] "Footage of Teenage Female Gang-raped in Falmouth, Trelawny Jamaica 2015";[15] "Five in Jamaican Police Custody After 17 Year Old Sexually Assaulted on Camera 2015";[16] "15-Yr-Old Girl Becomes a Tragic Victim of Gang Rape in Clarendon";[17] and "Police Investigate Alleged Gang Rape of Pregnant Woman".[18]

Other stories of missing children being highlighted on the nightly television newscasts also raise concerns about this vulnerable group who are also most at risk of becoming victims of sex trafficking.

Increased internet access

The convergence of telecommunications and computer technologies, the liberalisation of Jamaica's telecommunications sector, and increased access to mobile devices have created both opportunities and risks for young males and females. Internet World Statistics[19] reported in 2015 that over half the Jamaican population (54%) or about 1,581,100 persons out of a population of 2.9 million were online. Some 677,960 of these are Facebook users. Smart mobile phones are relatively cheap and easily available and so mobile access is the leading means to interact online (table 1).

Youth are more active online and often more tech-savvy than parents and other adults. At the same time, a lack of maturity among some young girls and boys means that many are unable to discern the risks of sharing personal information and images with friends and strangers on the internet. Sharing "selfies" and sexually explicit images online, visiting chat rooms, and engaging in digital "sexting" (sex texting) are common. Many youth hide their online profiles from parents and are more at risk than adults from cyber stalking, resulting in several being lured online into human trafficking and other forms of sexual exploitation. Several studies report risks of women's and children's exposure to violence on the internet.[20]

The state of gender inequality

It is clear that not enough is being done to create the policy environment to meaningfully tackle the problem. Gender inequality in political leadership is one such political constraint. Despite Jamaica having a female prime minister, and the International Labour Organization (ILO) in 2015 ranking Jamaica as having the highest number of female managers globally (over 50%),[21] gender and social inequalities persist. Women make up only 13% of the parliament[22] despite the gender breakdown of the population being 51% females and 49% males.[23]

14 www.flexfeedz.com/index.php/2015/08/12/must-watch-footage-of-another-jamaican-high-school-female-viral-video-exposed-2015

15 jamaicansmusicz.com/footage-of-teenage-female-gang-raped-in-falmouth-trelawny-jamaica-2015

16 jamaicansmusicz.com/five-in-jamaican-police-custody-after-17-year-old-sexually-assaulted-on-camera-2015

17 jablogz.com/2014/01/15-yr-old-girl-becomes-a-tragic-victim-of-gang-rape

18 jablogz.com/2014/06/police-investigate-alleged-gang-rape-of-pregnant-woman

19 www.internetworldstats.com/stats11.htm

20 See, for example, e-Learning Network. (2013). *Technology-related Violence Against Women*. www.vawlearningnetwork.ca/issue-4-technology-related-violence-against-women; Baker, L., Campbell, M., & Barreto, E. (2013). *Understanding Technology-Related Violence Against Women: Types of Violence and Women's Experiences*. London, Ontario: Learning Network, Centre for Research and Education on Violence Against Women and Children. www.learningtoendabuse.ca/sites/default/files/Baker_Campbell_Barreto_Categories_Technology-Related_VAW_.pdf

21 ILO. (2015). *Women in business and management: Gaining momentum*. www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_334882.pdf

22 Inter-Parliamentary Union website: Women in national parliaments. www.ipu.org/wmn-e/classif.htm

23 www.countrymeters.info/en/Jamaica; statinja.gov.jm/Demo_SocialStats/Newpopulation.aspx

This is quite a gap when compared with the 30% quota of women parliamentarians recommended by CEDAW. The gap denies the country a critical mass of qualified women who could help drive policy making and reinforce laws and policies to reduce gender-based violence and economic inequalities.

Regarding the economic context, Jamaica is ranked as an upper middle income country with a gross national product (GNP) of USD 5,220. However, a high inflation rate of 8.3% and a poverty rate of 19.9%[24] pose twin challenges to real growth and development. The reintroduction of a structural adjustment programme with the International Monetary Fund (IMF) in 2012, while designed to reduce high indebtedness and increase growth, has also meant job losses and reduced allocations for social spending.

Although a higher proportion of females have higher educational achievements than males, women earn less because fewer are in the labour force (46%). Women are primary family caregivers and are concentrated in low-wage occupations. The consequences of this inequality undermine national development goals such as reducing poverty and improving gender equality.

Jamaica's Reproductive Health Survey (2008-2009)[25] showed that 18% of births are to teenage girls; 20% of females aged 15-49 years experienced violence in their first sexual encounter; and females aged 15-19 years are three times more likely to be HIV-positive than their male counterparts in a population with an HIV prevalence rate of 1.7%. The profile of vulnerability to sexual exploitation online is linked to differences of gender intersecting with class, race, education and economic factors.

Gender-based violence using ICTs has been on the rise. The story of the Clarendon schoolgirls shows that technology is a two-edged sword that can help generate access but can also facilitate online sexual harassment, cyber stalking and other social pathologies such as interpersonal violence using photos, text or voice messages to threaten, intimidate, coerce and terrorise vulnerable females. The internet is also used for false advertising and to lure vulnerable individuals into illegal and dangerous activities. While many of these are not uniquely directed against females, women and girls are frequently the victims.[26]

Girls who post sexual images on the internet may have low self-esteem, may be from poor socioeconomic backgrounds or may be among the 30% of Jamaica's "unattached" youth. These are defined by the HEART Trust National Training Agency as youth "who are in the age group of 14-24 years, unemployed or outside the labour force, and not in school or in training."[27] They may be "pushed" to use unorthodox survival strategies because of high youth unemployment, which affects 39.3% of youth in the 14-24 age range. This youth joblessness is three times the national average of 13.8%. Unemployment among females is higher than for males – 18.1% versus 10.1% respectively.[28] The United Nations estimates that 95% of aggressive behaviour, harassment, abusive language and denigrating images in online spaces are aimed at women and come from current or former male partners.

A need to re-orientate policy

The sexual abuse of the girls on the Clarendon video also underscores unfulfilled national development policy goals and programmes and reflects increased sexual and reproductive health risks for young females. The last Reproductive Health Survey (2008)[29] reported early sexual initiation of boys and girls starting at 13 years and 16 years respectively; lack of risk perception; and an increased use of contraceptives overall, but still high levels of teen pregnancies (18%). A quarter of women in the survey reported that they were forced to have sexual intercourse at least once in their life.

The risk of increased HIV infection is also a factor in the increased sexual exposure of girls reflected in the video. This is cause for concern as the Caribbean has the second highest rate of HIV infection globally after countries in sub-Saharan Africa. While Jamaica's adult HIV prevalence rate is 1.7%,[30] as mentioned above, among youth 15-25 years old, the infection rate is 1% higher among females than among males. The ratio of AIDS among adolescents 10-19 years is significantly higher for females than for males (2.84 females to 1 male).

The Clarendon story also reflects high exposure of youth to violence through ICTs. This is prevalent not only in online videos, but also in films and video games which create a culture of acceptance of physical and sexual violence as a normal part of life for many young persons. Jamaica's Reproductive

24 data.worldbank.org/country/jamaica

25 catalog.ihsn.org/index.php/catalog/1899

26 GuardChild statistics: www.guardchild.com/teenage-sexting-statistics

27 HEART Trust National Training Agency. (2009). *Unattached Youth in Jamaica*. www.mona.uwi.edu/cop/sites/default/files/Unattached%20youth_0.pdf

28 Economic and Social Survey of Jamaica 2014 (not available online).

29 catalog.ihsn.org/index.php/catalog/1899

30 www.unicef.org/infobycountry/jamaica_statistics.html; www.unaids.org/sites/default/files/media_asset/20150714_FS_MDG6_Report_en.pdf

Health Survey (2008-2009) notes that one in 10 Jamaican youth (12% of boys and 10% of girls) reported being physically abused by their partners.[31]

The increasing number of reports in the Jamaican media of youth involvement in sexually explicit acts on mobile devices now requires that we pay attention to several ICT and social policy issues which impact on rights, responsibilities and freedoms. It is not just a matter for the police. Public education, greater social safeguards and more relevant policy reforms will also help to ensure a safer online experience for young people. An improved policy framework, increased public education and monitoring would help to ensure that the country's youth can gain access to and use technologies with a reduced risk of being sexually exploited.

Action steps

Among the emerging issues for policy makers and internet advocates are the following:

- Promote adolescent sexual and reproductive health rights and services to reduce risks for the most vulnerable.
- Guide educational institutions, parents and students regarding sex and mobile phone use to keep youth safe from the risks of sharing sexual content online.
- Increase prosecution of adult offenders to help reduce the risk to children and vulnerable women of being used for sexual exploitation in the commercial sex trade.
- Develop new policies and update legislation to govern the unauthorised disclosure of private videos and sexual content to minors online.
- Increase enforcement of international human rights commitments, current Jamaican laws, and the Broadcasting Commission of Jamaica's Children's Code
- Increase public awareness. Run campaigns to enforce regulations relating to sexuality, children and the internet as well as student guidance programmes and peer education programmes to help children to adopt new approaches to managing sexual expression and mobile phone usage.

31 catalog.ihsn.org/index.php/catalog/1899

GLOBAL INFORMATION SOCIETY WATCH 2015

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 (LBGTQ) 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.

GLOBAL INFORMATION SOCIETY WATCH
2015 Report
www.GISWatch.org

APC Hivos

ISBN 978-92-95102-07-1
9 789295 102071