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From Trolling to Trafficking: The Spectrum of Cyber Crimes against Women in India

DR V GEETA RAO¹

ABSTRACT

In India, the internet's transformative impact has brought both opportunities and challenges, particularly for women who face a spectrum of cyber crimes. This article explores the multifaceted nature of these crimes, from online harassment and cyberstalking to more severe forms of exploitation and trafficking. Online harassment, often perpetrated by anonymous trolls, inflicts significant psychological harm on women, leading to anxiety, depression, and social withdrawal. Cyber stalking further exacerbates the threat, with perpetrators exploiting digital platforms to monitor and intimidate their victims, often resulting in offline violence and privacy breaches. At the extreme end, trafficking networks leverage the internet to exploit vulnerable women and girls, using deception and coercion for sexual exploitation and forced labor. The article emphasizes the urgent need for comprehensive solutions, including legal reforms to address specific cyber crimes, enhancing digital literacy to empower women, and fostering collaborations between government, civil society, and tech companies. Public awareness and gender-sensitive policies are crucial for shifting societal attitudes and supporting survivors. By addressing the intersection of gender, technology, and legal frameworks, we can create a secure online environment where women can thrive without fear of exploitation or violence. This multifaceted approach aims to ensure the internet serves as a tool for empowerment, equality, and justice for all, highlighting the importance of safeguarding women's rights in the digital age. The references cited provide a foundation for understanding these challenges and suggest avenues for policy reform, advocacy, and intervention.

Keywords: *Online Harassment, Cyberstalking, Trafficking, Digital Literacy, Gender-sensitive Policies.*

I. INTRODUCTION

In the rapidly evolving digital age, the internet has become both a boon and a battleground, especially for women worldwide. While digital platforms offer unprecedented opportunities for communication, education, and empowerment, they also harbor significant risks. Cyber crimes targeting women have emerged as a pervasive and multifaceted issue, spanning from online

¹ Author is an Associate Professor at Sultan Ul Uloom College of Law, Hyderabad, India.

harassment and abuse to more sinister forms of exploitation like trafficking. The internet has revolutionized how people communicate, work, and access information, bringing unprecedented opportunities and significant challenges for women in India. While digital platforms offer new avenues for empowerment and education, they also expose women to a range of cyber crimes, including online harassment, cyber stalking, and severe forms of exploitation and trafficking. In the rapidly evolving digital age, the internet has become both a boon and a battleground, especially for women in India. Digital platforms offer unprecedented opportunities for communication, education, and empowerment, enabling women to connect, learn, and work in previously unimaginable ways. Online platforms have facilitated social movements, provided access to crucial information, and allowed for the establishment of support networks and professional growth. However, these benefits come with significant risks. Cyber crimes targeting women have emerged as a pervasive and multifaceted issue, spanning from online harassment and abuse to more sinister forms of exploitation like trafficking. These crimes exploit the very features that make the internet so powerful: its anonymity, accessibility, and vast reach. The internet has revolutionized how people communicate, work, and access information, bringing unprecedented opportunities and significant challenges for women in India.

II. RISE OF CYBER CRIMES AGAINST WOMAN IN INDIA

Online harassment is one of the most prevalent forms of cyber crime faced by women in India. Social media platforms, messaging apps, and online forums have become breeding grounds for cyber trolls who deploy sexist, derogatory, and threatening language to intimidate and silence women.² This phenomenon, commonly known as cyber trolling, encompasses a wide range of behaviors, from offensive comments and memes to coordinated harassment campaigns aimed at damaging a woman's reputation or causing psychological harm. The psychological impact of such harassment can be profound. Victims often experience anxiety, depression, and in severe cases, withdraw from online and offline activities altogether. Despite efforts to raise awareness and promote safer online behaviors, many women continue to face daily threats to their personal and digital security.

One notable case of online harassment involved Gurmehar Kaur,³ a student and peace activist

² Daniels, G., & Tarisai, N. (2018). Glass Ceilings. Gender Links. http://books.google.ie/books?id=hq17DwAAQBAJ&printsec=frontcover&dq=Social+media+platforms,+messaging+apps,+and+online+forums+have+become+breeding+grounds+for+cyber+trolls+who+deploy+sexist,+derogatory,+and+threatening+language+to+intimidate+and+silence+women.&hl=&cd=2&source=gbs_api

³ FIR Registered Following Gurmehar Kaur's Complaint of Rape Threats, INDIAN EXPRESS (Feb. 28, 2017), <https://indianexpress.com/article/india/fir-registered-following-gurmehar-kaurs-complaint-of-rape-threats-4548568/>.

who faced a torrent of abuse on social media after voicing her opinions on India-Pakistan relations. In 2017, Kaur's campaign for peace between the two countries attracted the attention of internet trolls who subjected her to threats of violence and rape. The anonymity provided by the internet allowed the perpetrators to act with impunity, highlighting the challenges victims face in seeking justice and protection. The trolling of Sushma Swaraj⁴ who was the then Minister of External Affairs in 2018 highlighted the disturbing reality of online violence and abuse faced by women in India whether be it the common woman or a woman in power.

(A) Surge in Online Harassment and Abuse post COVID pandemic

The COVID-19 pandemic has had a profound impact on the world, leading to significant changes in how we live, work, and interact. One of the most notable shifts has been the increased reliance on digital technologies for communication, work, and education. However, this digital transformation has also led to a rise in online harassment and abuse, particularly against women. In India, the post-COVID era has seen a significant increase in cyber crimes targeting women, ranging from online harassment and cyber stalking to more severe forms of exploitation. This article explores the factors contributing to this rise, the impact on victims, and the measures needed to address these issues. The pandemic forced many aspects of life to move online, accelerating the adoption of digital technologies. Schools and universities transitioned to online learning, businesses adopted remote work, and social interactions moved to digital platforms. This surge in digital activity created new opportunities for cyber criminals to exploit vulnerabilities, leading to an increase in cyber crimes.

One high-profile case of online harassment during the post-COVID era involved actress Rhea Chakraborty.⁵ Following the death of actor Sushant Singh Rajput in 2020, Chakraborty was subjected to intense online abuse, including death threats and character assassination. The media frenzy and public scrutiny fueled the harassment, highlighting the toxic culture of online abuse and the challenges victims face in seeking justice and protection. Recently, Prachi Nigam⁶ from Uttar Pradesh, who topped the state board exams with 591/600 marks, faced online trolling that focused not on her academic achievement but on her appearance. Instead of celebrating her academic success, trolls mocked her facial hair, with some suggesting she should focus on grooming and others using derogatory language against her. The anonymity provided by the

⁴ Online Trolling of Indian Women is Only an Extension of the Everyday Harassment They Face, THE WIRE (Nov. 15, 2023), <https://thewire.in/women/online-trolling-of-indian-women-is-only-an-extension-of-the-everyday-harassment-they-face>.

⁵ Entertainment Media, TIMES OF INDIA (Nov. 15, 2023), <https://timesofindia.indiatimes.com/entertainment/media/articleshow/105217531.cms>.

⁶ Prachi Nigam, Trolling Question, INDIAN EXPRESS (May 7, 2024), <https://indianexpress.com/article/opinion/columns/prachi-nigam-trolling-question-9313768/>.

internet enables perpetrators to evade accountability, making it difficult for victims to seek recourse. Despite efforts to raise awareness and promote safer online behaviors, many women continue to face daily threats to their personal and digital security.

(B) Cyber Stalking and Privacy Breaches

Cyber stalking is another significant threat to women's safety and privacy in the digital age. Stalkers exploit digital platforms to monitor, track, and intimidate their victims, often escalating their behavior to offline harassment or physical violence. In a country where digital privacy laws are still evolving, women are particularly vulnerable to unauthorized access to personal information and the misuse of intimate images or videos.

In 2017, Varnika Kundu, a DJ in Chandigarh, was pursued and harassed by two men while driving home late at night. The incident, which gained widespread media attention, revealed that one of the perpetrators had been stalking her online for months. This case underscores the potential for cyber stalking to translate into real-world violence and the urgent need for robust legal protections.

Privacy breaches can have devastating consequences, including reputational damage, social isolation, and heightened risks of physical harm. The absence of robust legal frameworks and public awareness about digital privacy exacerbates these risks, leaving women with limited recourse against those who exploit vulnerabilities in online spaces.

(C) Exploitation and Trafficking in the Digital Era

At the most extreme end of the spectrum, cyber crimes against women in India include exploitation and trafficking facilitated by the internet. Criminal networks leverage online platforms to recruit, groom, and exploit vulnerable women and girls, often under the guise of job opportunities, relationships, or fraudulent schemes. Victims may be coerced or deceived into situations involving pornography, forced labor, or sexual exploitation, with traffickers exploiting the anonymity and global reach of the internet to evade detection and law enforcement efforts.

In 2019, a major trafficking ring operating through social media was busted in Delhi. The traffickers used fake job postings and romance scams to lure women into exploitative situations. Several victims were rescued in coordinated raids by law enforcement agencies, highlighting the complex challenges in combating digital-era trafficking.

The commodification of women's bodies in digital spaces perpetuates cycles of exploitation and vulnerability, posing significant challenges to efforts aimed at combating human trafficking and

protecting women's rights. The intersection of technology and trafficking necessitates coordinated responses that address both the immediate risks posed by online exploitation and the underlying factors contributing to women's vulnerability in digital environments.

III. LEGAL AND POLICY FRAMEWORKS ADDRESSING CYBER CRIMES AGAINST WOMAN IN INDIA

Addressing cyber crimes against women in India requires a robust legal and policy framework. While the Information Technology Act, 2000 (amended in 2008) provides a legal basis for combating cyber crimes, there are gaps in its provisions that need to be addressed. Specific laws targeting online harassment, cyber stalking, and digital trafficking are necessary to ensure comprehensive protection for women.

(A) The Information Technology Act, 2000

The Information Technology Act, 2000, is the primary legislation governing cyber crimes in India. The Information Technology Act, 2000 (IT Act) of India encompasses several critical provisions aimed at addressing cyber crimes. Section 66A, initially intended to curb offensive messages through communication services, was deemed unconstitutional and vague by the Supreme Court in 2015. Section 67 targets the dissemination of obscene material in electronic form, encompassing sexually explicit content capable of corrupting or depraving viewers. Section 66E addresses privacy breaches by prohibiting the capture, publication, or transmission of images of an individual's private areas without consent. Section 67A specifically deals with the transmission of material containing sexually explicit acts. Lastly, Section 67B focuses on combating child pornography by criminalizing its publication, transmission, or viewing online, highlighting the IT Act's comprehensive approach to safeguarding digital spaces and protecting vulnerable individuals from online exploitation.

(B) Protection of Children from Sexual Offences (POCSO Act 2012)

While the POCSO Act is gender-neutral, it effectively safeguards female children as well. The POCSO Act of 2012 establishes a strong legal framework designed to protect girls from sexual offenses, including those enabled by digital platforms. Through comprehensive measures against cyber-related sexual offenses and the implementation of strict penalties and child-friendly procedures, the Act strives to foster safer environments for girls, both in physical and virtual spaces. Continuous efforts in increasing awareness, building institutional capacity, and adapting to technological developments are crucial in effectively combating cyber-enabled sexual offenses and ensuring the overall protection of girls' rights across India.

The "Bharatiya Nyaya Sanhita" which replaced Indian Penal Code, which saw an amendment in December 2023, plays a critical role in addressing sexual harassment against women in India. The amendments introduced various provisions aimed at strengthening legal protections and enhancing accountability concerning crimes of sexual harassment. These changes reflect ongoing efforts to align legal frameworks with evolving societal norms and technological advancements, ensuring more robust safeguards for women against cyber-enabled offenses and other forms of harassment in both digital and physical spaces.

IV. CHALLENGES AND SOLUTIONS

Addressing cyber crimes against women in India demands a multifaceted approach that encompasses legal reforms, technological innovations, and community engagement. Strengthening legal frameworks to include specific provisions for cyber crimes, enhancing digital literacy among women to empower them with knowledge and skills to navigate online risks, and fostering collaborations between government agencies, civil society organizations, and tech companies are critical steps toward creating safer digital environments. When it comes to resolving cases of sexual cybercrimes against women, the judiciary has been important. For example, under Section 66E of the Information Technology Act, 2000, a husband was held accountable in the case of *Vikram Vincent v State of Karnataka*⁷ for sharing sexual photos of his wife, violating her privacy when he sent them to her father and other acquaintances. In a similar vein, the accused in *Anish Jose Antony v. State of Karnataka*⁸ aggressively pursued a young woman despite her obvious disinterest in a personal relationship. He sent threatening texts after his advances were rejected, which led to his prosecution for cyberstalking under Section 354D of the Indian Penal Code, 1860.

Curbing cyber crimes in India presents multifaceted challenges. One significant issue is the underreporting of cyber crimes due to stigma, distrust in authorities, and unawareness of legal options. The legal framework often struggles to keep pace with rapidly evolving forms of cyber threats, leaving gaps in protection and enforcement. Law enforcement agencies frequently lack the necessary technical expertise and resources to effectively investigate digital crimes. Cross-border complexities complicate the prosecution of cyber criminals who operate across different jurisdictions. Deep-seated social and cultural norms contribute to victim-blaming and undermine the seriousness with which women's complaints are treated. Limited digital literacy among the population, particularly women, heightens vulnerability to online threats. Moreover,

⁷ MANU/KA/2175/2022

⁸ MANU/KA/0017/2023

inadequate support systems, including counseling and legal aid, hinder victims' recovery and deter reporting. Addressing these challenges requires comprehensive reforms in legal frameworks, law enforcement capabilities, societal attitudes, and support systems to better protect individuals from cyber crimes in India.

Addressing the challenges of cyber crimes against women in India requires a multifaceted approach. Enhancing digital literacy through tailored programs can empower women with essential skills to navigate online spaces safely and effectively. Technological innovations, such as AI-driven monitoring systems and improved reporting mechanisms, are crucial for detecting and mitigating cyber crimes. Collaboration between NGOs, community organizations, and tech companies can facilitate the effective delivery of these solutions. Moreover, raising public awareness about the impact of cyber crimes on women's lives and advocating for gender-sensitive policies can help change societal attitudes and promote a culture of zero tolerance towards online harassment. These efforts aim to empower victims to report incidents and seek necessary support, ultimately enhancing protection against cyber crimes in India.

V. CONCLUSION

Online harassment, often perpetrated by anonymous individuals or groups, ranges from derogatory comments and sexist jokes to coordinated efforts to tarnish reputations and incite fear. This form of harassment can have severe psychological impacts, including anxiety, depression, and even withdrawal from online spaces. Cyber stalking, another prevalent issue, involves the use of digital platforms to monitor, track, and intimidate victims, often escalating to offline threats and physical violence. Stalkers exploit social media, messaging apps, and other online tools to invade privacy and exert control, creating a persistent sense of fear and vulnerability. The risks extend to more severe forms of exploitation and trafficking. Traffickers use the internet to deceive and coerce women and girls into exploitative situations, including forced labor and sexual exploitation. These criminals leverage social media, dating apps, and other online forums to identify, groom, and exploit vulnerable individuals. The anonymity and global reach of the internet make it difficult for law enforcement to track and apprehend these perpetrators, complicating efforts to combat these heinous crimes.

Moreover, the rapid pace of technological advancement often outstrips the development of laws and regulations, leaving gaps in legal protections and enforcement mechanisms. Women frequently find themselves without adequate recourse or support when they fall victim to cyber crimes. The lack of digital literacy further exacerbates the problem, as many women are not

equipped with the knowledge or skills to protect themselves online or to seek help when they encounter threats.

Addressing these issues requires a comprehensive and multifaceted approach. Legal reforms are essential to ensure that specific provisions for cyber crimes are included in national legislation, providing clear avenues for prosecution and protection. Enhancing digital literacy among women is crucial to empower them with the tools and knowledge to navigate online spaces safely. This includes education on privacy settings, recognizing online threats, and understanding how to report and seek help for cyber crimes.

Collaboration between government agencies, civil society organizations, and technology companies is also vital. Tech companies must take responsibility for creating safer online environments by implementing robust security measures, providing clear reporting mechanisms, and cooperating with law enforcement to track and address cyber crimes. Public awareness campaigns can play a significant role in changing societal attitudes towards online harassment and exploitation, promoting a culture of zero tolerance for such behaviors.

Supporting survivors of cyber crimes is another critical component. This involves providing accessible and gender-sensitive reporting mechanisms, offering psychological and legal support, and creating safe spaces for women to share their experiences and seek help without fear of stigma or retaliation.

In conclusion, the internet holds immense potential for empowering women in India, but it also poses significant risks. By acknowledging the complexities of cyber crimes against women and advocating for systemic changes, we can create a more inclusive and secure digital environment. This will ensure that the internet serves as a tool for empowerment, equality, and justice for all, safeguarding women's rights and dignity in the digital age.
