

INDELA

To seek gender justice
for women and LGBTQI+
persons facing online
gender-based violence.

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OBJECTIVE

To comprehensively document both the consequences with which a person facing digital gender violence lives and the response from the Peruvian justice system, and to make evidence-based recommendations for improvement at the federal level regarding the legal, technological and emotional aspects of caring for victims.

CONTEXT

Gender violence is one of the biggest problems Peru faces. Online gender violence is not yet recognized as violence in and of itself by most people.

In 2018, Peru passed Legislative Decree 1410, which criminalizes harassment, sexual harassment, sexual blackmail and the dissemination of intimate images without consent, each of which is expanded through technology. Although this legal framework is in place, there are still many challenges in the complaint process and in the actual implementation of justice.

Resolving online gender violence in Peru means recognizing that both women and people of other gender diversities are in a situation of greater vulnerability. This in a context in which there are already multiple barriers to accessing justice for those who have experienced gender violence. Now these barriers may be reproducing and growing in cases of digital violence, making an effective response by the State urgently necessary.

“ If women and activists aren’t informed on Legislative Decree 1410, which typifies online gender violence in Peru, they might not seek and/or find justice in cases of harassment, sexual harassment, sexual blackmail or the dissemination of intimate images without consent.



PROJECT ACHIEVEMENTS

Hiperderecho succeeded in identifying all of the access routes to justice available in Peruvian legislation in cases of harassment, sexual harassment, sexual blackmail and the dissemination of intimate images without consent, offering victims a panoramic view of the legal strategies that could be implemented in their cases. This diversity of routes has provided them with options from which they can choose according to their own needs and vision of justice, be it protection, punishment or reparation.

In addition, Hiperderecho designed a strategy for supporting cases that allowed them to learn about the different perspectives and experiences of those trying to report violence online in the country. Through this, they managed to pinpoint the obstacles related to filing a complaint of online gender violence, such as a lack of information on DL1410; a lack of guidance on pursuing justice through criminal, civil or administrative routes; a lack of understanding with regard to the distinction between these routes; and mistreatment by operatives within the justice system, among others.

HOW WAS THIS ACHIEVED?

- Provided strategic support to five people who had faced online gender violence, basing the aid on co-building safe spaces in which those seeking justice could share their doubts, feelings, wishes and expectations. As part of this aid, the complainants were provided with legal advice, digital security support and psycho-legal support to cope with the emotional burden of filing their complaints.
- Carried out an analysis of the Peruvian legal framework in order to understand the routes that exist at the disposal of the citizenry, their normative functioning and their possible deficiencies, especially from a feminist perspective that revolves around the person and their needs.
- Developed practical guides and protocols for taking on cases of online gender violence and ensuring the mental health and safety of investigators and companions. These tools have been made public and can be used by other NGOs in the region that wish to start taking cases.

RESOURCES

- [Sitio web interactivo sobre violencia de género en línea en Perú.](#)
- [Manual de proyecto “Después de la Ley. Protocolos e instrumentos para brindar acompañamiento estratégico feminista en una investigación de violencia de género en línea”.](#)
- [Informe #1 “El problema: Identificamos los obstáculos en la atención de denuncias y procesos de violencia de género en línea”.](#)
- [Informe #2 “Metodología jurídica feminista para investigar violencia de género en internet género en línea”.](#)