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Cyberviolence: defining borders on permissibility and accountability

PROJECT DESCRIPTION

The @ntidote project studies the use of social media in Belgium as a platform of content that may constitute cyberviolence, in particular the posting and distribution of online hate speech ('online hate') and the non-consensual distribution of intimate images ('NCII'). The research intends to map the regulatory framework as well as research qualitative and quantitative impact on Belgian youngster to provide a roadmap for future regulation and action to prevent and/or mitigate the harms caused by cyberviolence.

Social media have become an intrinsic part of today's routine of youngsters. Notwithstanding its many benefits as to expression, communication, information and entertainment, it has also become a platform for harmful online conduct, whereby digital action results in physical, sexual, psychological and/or economic harm or suffering of individuals (= cyberviolence). Both the legislator and the social media themselves have stepped in to act upon such conduct. However, a comprehensive study on the understanding of this conduct among youngsters, the current national and European framework and the social media responses in Belgium is still lacking. Therefore @ntidote project aims at providing answers as to what constitutes online harmful behaviour and are the correct tools to fight these forms of cyberviolence within a fundamental rights context.

The project has three main objectives. The research project in the first place assesses the understanding of harmfulness of online hate and NCII among youngsters. A qualitative study among Belgian youngsters will be conducted by means of interviews whereby specific attention is paid to gender, sexual orientation and culturally diverse background. On the basis of this qualitative background, a survey and vignette study is developed to be tested among the target group of 15 to 25 year olds in Belgium to generate a quantitative understanding. Both quantitative and qualitative research try to understand the understanding of harmfulness, the roles taken by respondents (perpetrators, bystanders and/or victims) and coping strategies.

The @ntidote - project in the second place researches what constitutes (il)legal online hate and NCII based on the current legal framework, doctrine and case law in Belgium and Europe, and to what extent interventions are needed to tackle harmful online hate speech and NCII. This researches includes a study of unpublished judgments and cases with the public prosecution. The data obtained from the case law and case analysis will be used in the vignette study.

In the third place the project scrutinises how social media delineate online hate and NCII as (im)permissible based on their codes of conducts and roundtable. In addition to a scrutiny of the legal framework applied to social media and their own policy's, the research will examine the role of moderators and tech solutions developed by social media companies to address online hate and NCII. The relation between the youngsters appreciation of unharmful versus harmful conduct, the regulatory delineation of legal versus illegal conduct and the social media's policies on permissible and non-permissible conduct will be assessed. Further, the current and proposed legal and technical interventions to tackle online hate and NCII will be assessed within a fundamental rights framework in order to develop fundamental rights compatible solutions.

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The @ntidote 2.0 project will, first of all, produce new data for Belgium to fill the current gaps in our scientific knowledge on the prevalence of online hate speech and NCII among digital natives. Moreover, the project will enhance our understanding of the relevance of criteria of age, gender, sexual orientation and culturally diverse background and of victims' coping strategies. Second, it will map the legal and technical instruments to fight illegal content and identify the hindrances to action for victims. In doing so, the project will provide a framework for further research on prevention and the required future capacities needed to tackle harm inflicted online. The core impact of this part of the research is to equip policymakers and public authorities with data to assess the prevalence and related characteristics of these types of online behaviour, as well as what action should be taken.

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LINKS

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