

Day 4 | Session 8:

Protecting the vulnerable: Special provisions for gender and marginalised groups

Date: Thursday, 23 September 2021 [6:30 am - 8:30 am UTC]

Panel Discussion

Law and policy making have disparate impacts on different groups, depending on axes such as gender, income, caste, disabilities and geography. These regulations can often determine the nature and extent to which communities and individuals influence and are impacted by policy making. These inequalities merit specific attention across the domains of technology policy – from digital access to protection of digital rights. This module will introduce these concepts in the context of Southeast Asia, with particular focus on gender as a cross-cutting theme across forms of inequality.

This unit, which will be in the form of a panel discussion, is designed to get participants familiar with special provisions that protect gender and vulnerable groups in the ICT spaces, how these provisions may be used to target their agency and to get participants to understand how a feminist and rights perspective could be used in the process of legal analysis. It will adopt a feminist lens to critique legal systems and jurisprudence that govern technology, while also discussing provisions that are designed to protect vulnerable groups from negative impact. The experiences of vulnerable groups as they adopt and resist technology and data systems will be highlighted. The session will also discuss the role of marginalised groups in policy making, including reimagining technology law and policy through feminist principles as they are mobilised to create alternative feminist realities.

Key points of discussion:

1. Broadly, who are the vulnerable groups in Southeast Asia?

2. What special laws or provisions addressing gender and vulnerable groups are applicable to ICT spaces?
3. How are broad ICT regulations impacting gender and vulnerable groups?
4. Are perspectives of vulnerable groups taken into account in policy making?
5. Key jurisprudence on the issue from the region

Reference materials:

1. Table 3 - Laws and regulations governing the ICT ecosystem in Southeast Asian countries
2. Table 4 - Resources and databases on ICT and jurisprudence
3. Table 5 - International human rights law landscape
4. Table 2 - Constitutional guarantees

Suggested readings:

1. Association for Progressive Communications, *Feminist Principles of the Internet - Version 2.0* (August 2016)
2. Dr. Anja Kovacs, *Gendering Surveillance: An Introduction* (February 2017)
3. Report of the Office of the United Nations High Commissioner for Human Rights on ways to bridge the gender digital divide from a human rights perspective
4. UN Women, 2020, Online violence against women in Asia: a multi-country study
5. Gender Digital Equality Across ASEAN, ERIA Discussion Paper Series
6. Is access real?

 Presentation Slide - Lisa

 Presentation Slide - Biplabi

 Presentation Slide - Siti and Nathania

 Read Day 4 Summary Here

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