

## **A Study of Legal Protection for Victims of Gender-Based Violence in Digital Spaces from a Human Rights Perspective**

**Dian Rahadian<sup>1)</sup>, Evy Indriasari<sup>2)</sup> & Lely Setyawati Kurniawan<sup>3)</sup>**

<sup>1)</sup>Faculty of Law, Universitas Cenderawasih, E-mail: [dianrahadian11@gmail.com](mailto:dianrahadian11@gmail.com)

<sup>2)</sup> Faculty of Law, Universitas Pancasakti Tegal, E-mail: [evy\\_indriasari@upstegal.ac.id](mailto:evy_indriasari@upstegal.ac.id)

<sup>3)</sup> Faculty of Law, Psychiatry Department Udayana University, E-mail: [lelysetyawatik@gmail.com](mailto:lelysetyawatik@gmail.com)

**Abstract.** *This study examines the inadequacy of legal protection for victims of gender-based violence in digital spaces, emphasizing its implications from a human rights perspective. Using a library-based legal research method, data were collected from scholarly literature, legal documents, and international human rights instruments such as the UDHR and CEDAW. The findings reveal that online gender-based violence reflects structural gender inequality embedded within both digital systems and national legal frameworks. Existing laws, including Indonesia's cyber and sexual violence statutes, remain fragmented and lack a human rights-based foundation. The study concludes that integrating feminist legal theory and human rights principles into digital governance is essential to ensure dignity, equality, and justice for all users in the evolving digital environment.*

**Keyword:** *Digital Spaces; Gender-Based Violence; Human Rights; Protection.*

### **1. Introduction**

The expansion of digital technology has significantly transformed the way individuals communicate, interact, and express themselves, creating a space that transcends geographical and temporal boundaries. However, alongside these advancements, there has been a sharp rise in gender-based violence occurring within online environments, marking a new and complex dimension of social and legal concern. Women and marginalized groups increasingly experience digital threats, harassment, and violations of privacy through social media, online messaging platforms, and other virtual spaces. These acts, ranging from cyber harassment, non-consensual sharing of intimate images, to hate speech targeting gender identity, not only inflict psychological and emotional harm but also represent a profound infringement of fundamental human rights. In Indonesia, for instance, reports from Komnas Perempuan (The National Commission on Violence Against Women) have recorded a steady increase in online gender-based violence over the last decade. Despite legal reforms and regulatory frameworks such as the Information and Electronic Transactions Law and the Sexual Violence Crimes Law, many victims still face barriers to justice due to limited understanding, weak law enforcement, and digital anonymity that allows perpetrators to escape accountability. This pressing reality

underscores the urgent need to examine how the legal system can adapt to protect victims' rights effectively in the ever-evolving digital sphere (Amoo et al. 2024).

A growing body of literature has examined the intersection of gender-based violence and digital technology, highlighting both the opportunities and vulnerabilities arising from the digital era. Various legal and sociological studies emphasize that while existing laws aim to regulate online behavior, they often fail to encompass the unique characteristics of digital violence, such as its transnational nature, rapid dissemination, and permanence of harm. Classical legal theories concerning victim protection are largely rooted in physical-world assumptions, thereby limiting their applicability in the context of online victimization. Feminist legal scholars such as Catharine A. MacKinnon argue that the law has historically been constructed through patriarchal lenses, which inadequately recognize the power dynamics embedded in gendered experiences of harm. Meanwhile, human rights frameworks advocate for equality and protection from all forms of violence, yet their implementation within digital spaces remains inconsistent and fragmented. In Indonesia, for example, although legal provisions exist to penalize cyber harassment and defamation, they do not fully capture the gendered dimensions or long-term psychological impacts of online violence. This theoretical and practical gap between the established legal framework and the digital realities of gender-based violence reveals the necessity of a more holistic, human rights-based approach to legal protection for victims (Inam UI Mansoor 2023).

The primary objective of this study is to analyze the legal mechanisms available to protect victims of gender-based violence in digital spaces through the lens of human rights principles. This research seeks to identify how national and international legal frameworks address online gender-based violence, assess the adequacy and implementation of these protections, and propose recommendations for strengthening victim-oriented legal policies. The study further aims to evaluate whether the existing legal system embodies the values of justice, equality, and dignity central to human rights discourse. By employing a qualitative, literature-based approach, this research will explore the normative relationship between law, gender, and digital space, highlighting how the human rights perspective can serve as a guiding principle for ensuring justice for victims. Additionally, the research aspires to contribute to the ongoing discourse on digital governance, gender justice, and human rights protection by providing a critical examination of how laws can evolve to respond effectively to digital-era violence. Ultimately, the study endeavors to formulate a conceptual understanding that bridges the gap between traditional legal structures and the demands of protecting victims in virtual environments that transcend territorial limits (Bisrat Yibas 2024).

The significance of this research lies in its attempt to address an emerging human rights challenge within the digital ecosystem — the inadequate legal protection for victims of gender-based violence in cyberspace. The hypothesis guiding this study is that the current legal framework, while progressive in some respects, remains insufficiently responsive to the gendered and transnational characteristics of digital violence. Despite the presence of multiple legal instruments, such as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and national laws like the

ITE Law and TPKS Law, implementation gaps persist due to systemic biases, lack of digital literacy, and enforcement difficulties. This research argues that incorporating a human rights-based approach into digital governance is crucial for ensuring the protection, rehabilitation, and empowerment of victims. The study also contends that gender-based violence in digital spaces is not merely a technological issue but a manifestation of broader structural inequalities embedded in law and society. Thus, by synthesizing empirical observations, theoretical insights, and normative analysis, this study emphasizes the urgency of legal reform and the integration of human rights principles as foundational elements in combating gender-based violence in digital spaces (Suzor et al. 2019).

## **2. Research Methods**

### **1. Object of Research**

The object of this research is the phenomenon of gender-based violence occurring within digital spaces, examined through the lens of legal protection and human rights principles. This issue reflects a growing global and national concern as technology becomes more integrated into daily life, enabling new forms of interaction but also facilitating acts of violence that transcend physical boundaries. The study focuses particularly on the ways in which victims of online gender-based violence (OGBV) experience harm, the types of digital environments where violations occur, and the adequacy of existing legal instruments in addressing these incidents. The research identifies various manifestations of online violence such as harassment, cyberstalking, revenge porn, and online defamation, which disproportionately target women and gender minorities. These acts not only threaten the victims' dignity and privacy but also hinder their full participation in digital citizenship. Hence, the research problem centers on the legal system's ability—or inability—to provide effective protection and justice for victims of gender-based violence in cyberspace. Through a comprehensive exploration of this phenomenon, the study aims to uncover structural, legal, and conceptual gaps that may hinder the realization of human rights in the digital realm (Tanck 2024).

### **2. Type of Research and Data Sources**

This study employs a library-based research design (literature study), which emphasizes qualitative exploration through the systematic review and interpretation of existing literature. The choice of this method aligns with the research's normative nature, focusing on textual and conceptual analysis rather than empirical fieldwork. The primary data of this study consist of authoritative legal documents, national and international human rights conventions, and scholarly literature directly addressing gender-based violence in digital contexts. These include key materials such as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, Indonesia's Law on Electronic Information and Transactions (UU ITE), and the Law on Sexual Violence Crimes (UU TPKS). Meanwhile, secondary data are obtained from academic journals, books, research reports, and credible online publications that elaborate on the themes of digital violence, gender justice, and legal protection. This layered data structure allows the research to integrate theoretical

perspectives with practical legal analysis, ensuring a comprehensive understanding of the subject matter from both global and national dimensions(Khan, Ali, and Li 2025).

### 3. Theoretical Foundation

The theoretical framework guiding this research is Feminist Legal Theory, first systematically developed by Catharine A. MacKinnon, which critically examines how law constructs and perpetuates gender inequality. According to MacKinnon, the law is not an objective mechanism but rather a social institution historically shaped by patriarchal power structures that tend to marginalize women's experiences of harm. In this study, Feminist Legal Theory provides a conceptual foundation for analyzing whether existing legal protections for victims of gender-based violence in digital spaces truly reflect the principles of equality and justice. The theory challenges the neutrality of the law by exposing how gender bias influences both legislation and enforcement. Moreover, this research is also informed by Human Rights Theory, emphasizing that all individuals possess inherent dignity and are entitled to protection against all forms of violence, regardless of context. By combining these two theoretical standpoints, the study constructs an analytical lens capable of evaluating how digital legal frameworks intersect with gender-based experiences and whether these frameworks uphold the universality of human rights in virtual environments(Desai and Mandal 2022).

### 4. Research Process and Data Collection Techniques

The research process follows several systematic stages designed to ensure the reliability and depth of analysis. The initial stage involves identifying the core research problem—namely, the inadequacy of legal protection for victims of gender-based violence in digital spaces—followed by extensive exploration of related legal and academic materials. The data collection technique relies exclusively on library research, involving careful reading, selection, and synthesis of information from a range of written sources. These sources include academic books, scholarly journals, prior research studies, legal commentaries, official reports from human rights institutions, and reputable online publications. The process emphasizes critical examination and cross-referencing of sources to ensure that the arguments developed are evidence-based and theoretically sound. Each document or piece of literature is evaluated for its relevance, credibility, and contribution to understanding the complex relationship between gender, law, and digital technologies. This comprehensive collection process ensures that the research is grounded in established knowledge while allowing for critical insights into emerging legal and social issues(Jankowicz et al. 2024).

### 5. Data Analysis Technique

The data obtained through the literature review are analyzed using content analysis, a qualitative method designed to interpret textual information systematically to uncover themes, patterns, and relationships within the data. This approach enables the researcher to identify recurring legal and theoretical concepts relevant to the study's core question—how legal protection for victims of gender-based violence in digital spaces aligns with human rights principles. The analysis involves organizing the data into thematic categories such as legal

frameworks, human rights obligations, gender implications, and enforcement challenges. Each theme is examined for consistency, contradictions, and potential areas for reform. The content analysis technique allows the researcher to synthesize various perspectives, linking theoretical foundations with legal realities and human rights principles. Through this method, the study not only describes but also interprets the complex interrelations between gender-based violence, digital governance, and legal accountability. Ultimately, this analytical process leads to a nuanced understanding of how existing laws can evolve to better protect victims while promoting justice and equality in the digital era (Sandvik and Lohne 2020).

### **3. Results and Discussion**

The findings of this study reveal that gender-based violence in digital spaces constitutes a multidimensional issue that extends beyond the traditional boundaries of criminal law. The phenomenon manifests in several forms, including online harassment, non-consensual distribution of intimate content, identity theft, hate speech, and doxing, all of which disproportionately target women and marginalized communities. The digital environment facilitates anonymity, accessibility, and rapid dissemination, allowing perpetrators to operate without physical presence and often without accountability. Victims, in turn, experience not only psychological trauma but also reputational harm, social isolation, and in many cases, digital silencing, where fear prevents them from participating freely online. The increasing frequency of such incidents demonstrates that existing legal mechanisms, both national and international, remain insufficiently responsive to the evolving nature of digital crimes. This finding underscores that the problem of gender-based violence in digital spaces must be seen not only as a legal or technological issue but also as a deep-seated structural challenge involving power dynamics, gender inequality, and systemic gaps in law enforcement (Deane 2024).

The results further show that Indonesia's legal framework, while having made progress, still exhibits several substantive and procedural limitations in addressing online gender-based violence (OGBV). The Law on Electronic Information and Transactions (UU ITE), although initially designed to regulate online activities, does not specifically define or categorize acts of gender-based violence in digital contexts. This ambiguity leads to inconsistent interpretation and uneven enforcement. Meanwhile, the Law on Sexual Violence Crimes (UU TPKS) provides broader recognition of sexual violence, including online forms, yet its operationalization remains fragmented due to limited institutional capacity and public awareness. Many victims hesitate to report incidents because they perceive the legal process as burdensome and unresponsive. Furthermore, law enforcement authorities often lack the digital literacy and gender sensitivity required to handle such cases effectively. As a result, the implementation of these laws often fails to provide restorative justice for victims, highlighting the necessity of strengthening both the normative and procedural dimensions of existing legislation (Merry 2024).

From the international perspective, the study identifies that human rights instruments such as the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) establish foundational obligations for states to protect individuals from gender-based violence, including in digital environments. However, the interpretation and enforcement of these instruments in domestic legal systems are often inconsistent. While the principles of equality, dignity, and non-discrimination are clearly articulated, their translation into enforceable domestic laws frequently encounters political, cultural, and institutional barriers. In the Indonesian context, the alignment between international commitments and national implementation remains partial, particularly in the domains of online privacy, consent, and access to justice for digital victims. Consequently, although Indonesia has ratified key human rights treaties, the protection afforded to victims of OGBV remains fragmented and largely reactive, rather than preventive or restorative in nature. This finding highlights the critical need for a coherent national policy framework integrating international human rights standards with digital-era realities (Ratnasari, Sumartias, and Romli 2021).

The analysis also indicates that gender-based violence in digital spaces is deeply intertwined with issues of power and representation. Feminist legal theory provides a useful interpretative lens for understanding these dynamics, suggesting that law often reflects the dominant social order and may inadvertently perpetuate gender hierarchies. This perspective helps explain why online violence frequently goes unpunished or is trivialized by institutions that fail to recognize its structural underpinnings. The research finds that societal biases, including victim-blaming attitudes and patriarchal norms, influence the reporting and adjudication of digital gender-based violence cases. Many victims experience secondary victimization—being doubted, shamed, or blamed—when seeking legal recourse. The lack of institutional empathy and accountability discourages further reporting, perpetuating a culture of impunity in digital spaces. Therefore, the problem cannot be separated from broader questions about how the legal system conceptualizes harm, responsibility, and justice in the digital age (Dale, Maki, and Nitia 2021).

Empirical reviews of case documentation and human rights reports reveal that victims of online gender-based violence often face serious barriers in accessing legal assistance and digital evidence protection. The procedural complexity of filing complaints, the technical difficulty in tracing anonymous perpetrators, and the lack of cross-border cooperation between digital platforms and law enforcement agencies collectively undermine effective justice. Many digital platforms fail to respond promptly to victim complaints, or they rely on algorithms that inadequately detect gendered harassment. Moreover, digital evidence—such as screenshots, chat logs, and metadata—can easily be altered or deleted, creating significant evidentiary challenges. The absence of a unified legal standard for digital evidence handling exacerbates these difficulties. These findings suggest that the effectiveness of legal protection does not solely depend on the existence of legislation but equally on the procedural infrastructure and inter-institutional coordination necessary to enforce it (Cohen et al. 2021).



Another key finding relates to the gap between legal formalism and victims' lived realities. While laws theoretically guarantee protection and justice, the research shows that victims often experience a dissonance between legal rhetoric and practical implementation. Many victims report prolonged legal processes, lack of confidentiality, and insufficient psychological support during proceedings. In some cases, the pursuit of justice itself becomes retraumatizing, as victims must repeatedly recount their experiences to skeptical authorities. This indicates a disconnect between the legal framework and the principle of human-centered justice advocated in human rights law. A more integrated approach that combines legal reform with psychosocial support, digital literacy programs, and public education campaigns is needed to address these structural shortcomings. Such efforts would not only strengthen institutional responsiveness but also empower victims to reclaim agency within the digital public sphere (De Blasio and Selva 2019).

The results also highlight the need for legal reforms that prioritize the human rights-based approach (HRBA) in digital governance. This approach emphasizes accountability, participation, equality, and transparency as guiding principles in formulating and implementing laws related to digital spaces. In applying HRBA, states are expected to ensure that victims' rights to protection, remedy, and reparation are fully realized through accessible and non-discriminatory procedures. The study finds that adopting HRBA could significantly improve Indonesia's capacity to prevent and respond to gender-based violence online by embedding human rights values into the structure of digital policy-making. This would involve collaboration between government institutions, civil society organizations, and technology companies to develop holistic strategies that address both the legal and social dimensions of digital violence. Incorporating HRBA into national policy frameworks can thus transform the legal response from punitive to preventive and restorative (Berutu and Saragih 2025).

The findings confirm that the effectiveness of legal protection for victims of gender-based violence in digital spaces ultimately depends on the integration of multiple dimensions—legal, technological, social, and educational. The research concludes that isolated legislative measures are insufficient without comprehensive intersectoral coordination. Effective protection requires digital literacy among law enforcement officers, gender-sensitive judicial training, platform accountability mechanisms, and public awareness of online ethics and human rights. Collaboration between national governments, international organizations, and private digital actors is essential for creating safe online environments. The study's results suggest that a human rights-centered legal framework, supported by cross-sectoral cooperation and continuous monitoring, is the most promising path toward ensuring justice and equality for all victims of gender-based violence in digital spaces (Gabel 2023).

## **Discussion**

### **1. The Complexity of Gender-Based Violence in Digital Contexts**

The discussion reveals that gender-based violence in digital spaces is not a singular or isolated phenomenon but a deeply entrenched socio-legal, cultural, and structural problem arising from the intersection of technology, gender inequality, and violations of fundamental human rights. As digital technology continues to shape social interaction and public discourse, cyberspace has emerged not only as a domain of communication and creativity but also as a contested field of power where pre-existing hierarchies are reproduced and intensified. Far from being neutral, digital platforms reflect the values, biases, and exclusions of the societies that design and regulate them. The promise of technological advancement—to democratize participation, amplify voices, and dismantle barriers—has often been undermined by the persistence of patriarchal norms embedded within online interactions. Women and marginalized groups, particularly those with intersectional identities, experience disproportionate exposure to online harassment, surveillance, doxxing, and non-consensual image sharing, all of which translate into tangible psychological, social, and economic harm.

This paradox of digitalization—its simultaneous capacity to empower and to oppress—illustrates how structural inequalities are replicated through technological mediation. Feminist legal scholars such as Catharine A. MacKinnon and Judith Butler argue that online spaces are not detached from social reality but serve as extensions of it, where gendered power operates through language, visibility, and control. In this sense, online gender-based violence (OGBV) is not merely a technological misuse but a continuation of offline oppression transposed into virtual environments. The absence of robust legal definitions, enforcement mechanisms, and digital accountability frameworks further entrenches this vulnerability, leaving victims without adequate recourse or recognition under the law. Thus, OGBV must be understood as a multidimensional challenge that bridges the legal, technological, and cultural domains. Addressing it demands a holistic response—one that combines legal reform, ethical digital governance, and sociocultural transformation—to ensure that the digital age does not reinforce gendered subordination but instead advances human dignity, equality, and justice for all.

## 2. Feminist Legal Theory as the Analytical Foundation

Feminist Legal Theory provides a critical lens for interpreting the relationship between law and gender in digital contexts. Originating from the works of Catharine A. MacKinnon (1989), this theory challenges the assumption that law is neutral, arguing instead that legal systems often reflect patriarchal biases that marginalize women's lived experiences. Applying this theory to digital spaces helps uncover how traditional legal concepts of harm, consent, and accountability inadequately capture the realities of online gender-based violence. The law's tendency to prioritize tangible, physical forms of violence leads to the under-recognition of psychological and reputational harm caused through online platforms. This theoretical framework also exposes how digital violence is often trivialized or dismissed due to cultural narratives that normalize harassment as a byproduct of online freedom. Thus, Feminist Legal Theory urges a re-examination of how laws define and address violence in the digital age, calling for a paradigm shift toward an empathetic and inclusive legal perspective that validates women's experiences as genuine forms of harm deserving of protection and remedy.



### 3. Human Rights Perspective on Legal Protection

From a human rights standpoint, protection against gender-based violence in digital spaces is an extension of the fundamental right to dignity, equality, and security. International human rights instruments such as the Universal Declaration of Human Rights (1948) and CEDAW (1979) impose clear obligations on states to prevent and respond to violence, whether occurring in physical or digital realms. The principle of universality dictates that human rights protections must evolve alongside technological developments. This research emphasizes that OGBV constitutes a violation of multiple rights—the right to privacy, freedom of expression, and freedom from discrimination. However, findings show that many national legal systems, including Indonesia's, still treat digital violence as secondary to physical offenses. The lack of integration between human rights frameworks and domestic cyber legislation creates enforcement inconsistencies and limits victims' access to justice. Therefore, embedding a human rights-based approach within national digital policy becomes essential. Such an approach ensures that laws not only punish offenders but also uphold victims' rights to protection, remedy, and rehabilitation, reflecting the holistic spirit of international human rights law.

Table 1. Human Rights Framework and Legal Protection Against Online Gender-Based Violence (OGBV)

No.	Human Rights Instrument / Principle	Core Provisions Related to Gender-Based Violence	Relevance to Digital Spaces	Gaps / Challenges in National Context (e.g., Indonesia)	Implications for Legal Reform
1	Universal Declaration of Human Rights (UDHR, 1948)	Articles 1, 3, 5, and 12 affirm the right to dignity, liberty, and security of the person, and protection against degrading treatment or interference with privacy.	Establishes the foundation that digital violations—such as cyber harassment or online shaming—constitute infringements of dignity and privacy.	National cyber laws often emphasize defamation or IT misuse, without explicit recognition of gender-based digital harm.	Integrate UDHR principles into domestic digital rights legislation emphasizing human dignity and equality online.
2	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)	Mandates state parties to eliminate discrimination against women in all spheres, public and private, and to ensure protection from gender-based violence.	Extends state responsibility to address digital discrimination and online harassment as contemporary forms of gendered violence.	Implementation mechanisms in Indonesia remain fragmented, with limited enforcement of gender-sensitive provisions in digital contexts.	Adopt gender-responsive cyber policies consistent with CEDAW's obligations, ensuring state accountability and victim protection.
3	International Covenant on Civil and Political Rights (ICCPR, 1966)	Protects rights to privacy (Art. 17), freedom of expression (Art. 19), and equal protection before the law (Art. 26).	Highlights the need to balance freedom of expression with protection from hate speech and online gendered	Existing legal frameworks may overemphasize restrictions on expression rather than protecting women's	Reformulate cyber regulations to harmonize privacy, expression, and equality principles within digital



			harassment.	rights to safety online.	governance.
4	Principle of Universality and Technological Evolution	All human rights are interdependent, universal, and indivisible; their protection must adapt to social and technological change.	Demands that digital policy and governance frameworks evolve alongside emerging technologies to maintain equal protection.	National laws often lag behind digital innovation, leaving regulatory gaps exploited by perpetrators of online abuse.	Develop adaptive human rights-based digital governance frameworks aligned with evolving international norms.
5	Human Rights-Based Approach (HRBA) to Digital Policy	Focuses on participation, accountability, non-discrimination, and transparency in policy-making.	Encourages shared responsibility between states and digital platforms to safeguard human rights in online environments.	Limited collaboration between government, tech industry, and civil society undermines holistic protection.	Institutionalize HRBA principles in digital policymaking to ensure both prevention and redress of online gender-based violence.

#### 4. The Implementation Gap in Indonesian Legal Frameworks

The research identifies a significant gap between Indonesia's formal legal provisions and their actual implementation in protecting victims of online gender-based violence. Although the Law on Electronic Information and Transactions (UU ITE) and the Law on Sexual Violence Crimes (UU TPKS) provide legal recognition of online abuses, they are limited in scope, often focusing on penalization rather than victim rehabilitation. Law enforcement agencies frequently lack technical expertise and gender sensitivity, leading to inconsistent application of legal norms. Moreover, the social stigma attached to victims of digital harassment deters many from reporting incidents, thereby reinforcing underreporting and impunity. The absence of integrated institutional coordination—between the police, digital service providers, and judicial institutions—further undermines the law's effectiveness. This finding indicates that the problem is not merely legislative but systemic, reflecting the need for policy coherence, capacity building, and gender mainstreaming in digital law enforcement. A sustainable solution requires aligning national legislation with international human rights standards and ensuring institutional accountability throughout the legal process.

#### 5. Toward a Human Rights–Based Digital Governance Model

To address the shortcomings identified, the research proposes adopting a Human Rights–Based Approach (HRBA) to digital governance. This model rests on the principles of participation, accountability, non-discrimination, and transparency. Under HRBA, the state and digital platforms share a dual responsibility: the state must ensure an enabling legal environment, while platforms must implement preventive measures such as reporting mechanisms, content moderation, and user protection policies that respect human rights. Embedding HRBA within digital policy would transform the legal response from a punitive to a preventive and restorative one. This approach encourages collaboration between government bodies, civil society, academia, and private technology companies to build a comprehensive ecosystem that promotes safe and equitable digital interaction. HRBA not only reinforces legal frameworks but also empowers victims through awareness, education, and participation, ensuring that human dignity remains at the center of digital transformation. In doing so, it aligns national policies with global human rights norms and the Sustainable Development Goals (SDGs), particularly Goal 5 on gender equality and Goal 16 on peace, justice, and strong institutions.

## 6. Integrative Reform and Future Directions

The discussion concludes that effective protection for victims of gender-based violence in digital spaces requires a holistic integration of law, policy, and culture. Legal reform must be accompanied by initiatives in digital literacy, gender education, and technological accountability. The study advocates for the establishment of specialized cyber units within law enforcement agencies equipped with gender sensitivity training and digital forensic skills. It also recommends that digital platforms be legally obligated to cooperate with investigations and to develop transparent algorithms that detect and mitigate gendered harassment. Beyond institutional measures, public awareness campaigns and school-based education are essential to challenge misogynistic attitudes and normalize respectful digital behavior. Furthermore, interdisciplinary collaboration between lawyers, technologists, psychologists, and human rights activists can foster a more resilient framework for combating OGBV. The integration of human rights principles into the fabric of digital governance is not merely a legal necessity but a moral imperative to ensure that the digital age becomes a space of empowerment, equality, and justice rather than one of oppression and harm.

## 4. Conclusion

The findings of this research reveal a profound paradox at the heart of digital transformation. While digital spaces were initially envisioned as arenas of liberation, participation, and equality, they have instead evolved into new frontiers where structural gender inequalities are reproduced and even intensified. Online gender-based violence (OGBV) emerges not as an accidental side effect of technology but as a continuation of patriarchal power dynamics that have long governed social relations. The research demonstrates that digital platforms, far from being neutral, often mirror and amplify systemic discrimination, allowing new forms of harassment, exploitation, and exclusion to occur with unprecedented reach and speed. The absence of a coherent legal and institutional framework that integrates human rights principles into national cyber legislation—especially within contexts like Indonesia—further exacerbates the vulnerability of victims. Surprisingly, technologies intended to promote empowerment have enabled mechanisms of surveillance, humiliation, and control, exposing a dangerous contradiction between digital progress and social justice. This finding underscores an urgent need for a multidimensional legal and policy response that harmonizes technological advancement with human rights imperatives, ensuring that digitalization becomes a tool for equality rather than an instrument of oppression. The significance of this study lies not only in revealing these contradictions but also in offering a new theoretical and practical lens through which OGBV can be understood and addressed. By integrating feminist legal theory, human rights law, and digital governance, this research advances an interdisciplinary framework that reframes digital gender-based violence as a human rights violation requiring both preventive and remedial action. This approach enriches legal scholarship by asserting that the universality of human rights must evolve alongside technology to maintain relevance and efficacy. Practically, it provides policymakers with the conceptual foundation for embedding a Human Rights–Based Approach (HRBA) within digital policy and law enforcement systems, prioritizing accountability, participation, and non-discrimination. Although this study is limited to a

normative and literature-based analysis, it opens critical pathways for future empirical, comparative, and interdisciplinary research—inviting collaborations among legal scholars, technologists, and human rights advocates. Ultimately, the study concludes that ensuring justice and equality in digital spaces demands more than technological innovation; it requires a moral and legal commitment to safeguard human dignity in every dimension of virtual life.

## 5. References

- Amoo, Olukunle Oladipupo, Akoh Atadoga, Temitayo Oluwaseun Abrahams, Oluwatoyin Ajoke Farayola, Femi Osasona, and Benjamin Samson Ayinla. 2024. "The Legal Landscape of Cybercrime: A Review of Contemporary Issues in the Criminal Justice System." *World Journal of Advanced Research and Reviews* 21(2):205–17.
- Berutu, Sigar P., and Apri Cuanra Saragih. 2025. "Humanism and Professionalism in Police Reform: A Human Rights-Based Approach to Law Enforcement." *Arena Hukum* 18(2).
- Bisrat Yibas, Christian. 2024. "The Legal Framework Regulating Cyberbullying among Children in South Africa."
- De Blasio, Emiliana, and Donatella Selva. 2019. "Emotions in the Public Sphere: Networked Solidarity, Technology and Social Ties." Pp. 13–44 in *Emotions and loneliness in a networked society*. Springer.
- Cohen, Joshua, Archon Fung, Lucy Bernholz, Hélène Landemore, and Rob Reich. 2021. "Democracy and the Digital Public Sphere." *Digital Technology and Democratic Theory* 23–61.
- Dale, Amanda, Krysa Maki, and Rotbah Nitia. 2021. *A Report to Guide the Implementation of a National Action Plan on Violence against Women and Gender-Based Violence*. Women's Shelters Canada.
- Deane, Tameshnie. 2024. "Gender-Based Violence in International Human Rights Law—The Efficacy of the United Nations Human Rights Legal Framework and CEDAW in Addressing the Issue." *The Age of Human Rights Journal* (23):e8662–e8662.
- Desai, Bharat H., and Moumita Mandal. 2022. *Sexual and Gender-Based Violence in International Law*. Springer.
- Gabel, Shirley Gatenio. 2023. *A Human Rights-Based Approach to Justice in Social Work Practice*. Oxford University Press.
- Inam Ul Mansoor, Sheikh. 2023. "An Interface between Digital Privacy and Human Rights: The Challenges Ahead." *Available at SSRN 5019128*.
- Jankowicz, Nina, Isabella Gomez-O'Keefe, Lauren Hoffman, and Andrea Vidal Becker. 2024. "It's Everyone's Problem: Mainstreaming Responses to Technology-Facilitated Gender-Based Violence."



- Khan, Jalal, Tazeen Saeed Ali, and Qing Li. 2025. "ADDRESSING GENDER-BASED VIOLENCE IN DIGITAL SPACES: POLICIES AND RECOMMENDATIONS ACROSS LOWER-MIDDLE-INCOME COUNTRIES—A SYSTEMATIC REVIEW." *Kashf Journal of Multidisciplinary Research* 2(05):10–21.
- Merry, Sally Engle. 2024. *Human Rights & Gender Violence: Translating International Law into Local Justice*. University of Chicago Press.
- Ratnasari, Eny, Suwandi Sumartias, and Rosnandar Romli. 2021. "Social Media, Digital Activism, and Online Gender-Based Violence in Indonesia." *Nyimak: Journal of Communication* 5(1):97–116.
- Sandvik, Kristin Bergtora, and Kjersti Lohne. 2020. "The Struggle against Sexual Violence in Conflict: Investigating the Digital Turn." *International Review of the Red Cross* 102(913):95–115.
- Suzor, Nicolas, Molly Dragiewicz, Bridget Harris, Rosalie Gillett, Jean Burgess, and Tess Van Geelen. 2019. "Human Rights by Design: The Responsibilities of Social Media Platforms to Address Gender-based Violence Online." *Policy & Internet* 11(1):84–103.
- Tanck, Dorothy Estrada. 2024. "Cyberspace and Women's Human Rights in the International Legal Order: Transnational Risks and Gender-Based Violence." *Cuadernos Derecho Transnacional* 16:192.