

Guidelines for the construction of a parliamentary code of conduct to protect women from online gender-based political violence based on the experience of Latin America





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INTRODUCTION

The deliberate spread of harmful and false content aimed at women is a current threat to their safety, job performance, mental health, as well as to the institutions they represent, weakening not only women's active life in the public but also the democratic system.

Our research indicates that there is a need for codes of conduct in various areas of government: considering the multiple elections happening in the Latin America Region, a window of opportunity has been identified to develop and implement mechanisms to safeguard women in Parliament.

The implementation of Codes of Conduct in Parliaments creates a better decision-making process, significantly reducing possible aggressions between peers. In politics the existence of a code of conduct can place the issue of online gender violence on the agenda, making visible and enabling effective action against.

This research focuses on the experience of Latin American countries to outline recommendations for possible actions and best practices to help prevent digital political violence against women in Parliaments. A comprehensive desk review was carried out on countries with existing legislation in the Region reviewing the existence of protocols, legislative work, draft bills and bills, and analyzing current European Codes of Conducts to compare. Understanding and addressing this phenomenon is essential to ensuring gender equality in politics and promoting a violence-free parliamentary environment for all individuals.

In addition, the methodology implemented reveals significant barriers to recognizing political aggressions as a form of violence, despite the prevalent use of the term "violence" in the outcome of the research. This underscores the urgent need for a clear typification of online gender-based violence against women parliamentarians. Additionally, there is notable skepticism regarding the effectiveness of existing codes and regulations in safeguarding women from such violence. Our analysis shows diverse narratives explaining the roots of political violence and discrimination against women in public life. Emphasizing the connection between these findings is imperative to address these gaps through the development of robust codes.

EXECUTIVE SUMMARY

The research methodology for this study incorporates a multifaceted approach, including a desk review of existing legislation, social media monitoring, and surveys and interviews with political women in Mexico, Colombia, Bolivia, Argentina, Ecuador, Panama, Paraguay, El Salvador, Chile, Uruguay, Peru, and Brazil.

The main outcomes of the desk review are the existence of regulatory frameworks and laws to combat gender-based violence in the Latin America region and the recognition of gender violence within the scope of political institutions. There are no Parliamentary Codes of Conduct to combat online gender-based political violence in the region. However, protocols on gender-based violence can be found in some countries within National Assemblies. Outside Latin America, guidelines for a Parliamentary Code of Conduct can be found in the recommendations of the Parliamentary Assembly of the Council of Europe. Other regional-orienting documents are the Convention of Belém do Pará (1994), the Declaration on Violence and Political Harassment against Women (OAS/CIM, 2015) (first regional agreement on the matter), the Inter-American Model Law on Political Violence against Women (OAS/CIM, 2017), and the Model Protocol for Political Parties to prevent, address, punish and eradicate violence against women in political life (OAS/CIM, 2019).¹

The content analysis of in-depth interviews provided insights on perceived material and sociocultural barriers that could undermine the potential efforts to create a Parliamentary Code of Conduct against violence towards women parliamentarians. Some of these insights are resistance towards advancing a gender agenda or regulating gender-based violence due to the normalization of violence in politics or ineffectiveness in the processes to prove gender-based political violence.²

The surveys and the analysis of the interviews also show relevant factors such as “cultural and structural barriers” to move towards the implementation of a Parliamentary Code of Conduct to combat online gender-based violence against parliamentarians. The cultural factors refer to embedded social norms that translate into a significant lack of awareness of the changes needed to be addressed. However, when it comes to identifying eventual causes of political resistance on recognizing gender-based political violence, and therefore accepting and implementing protocols and regulations, the established processes can be seen as inefficient.

Another factor that appears regularly in the interviews is the existence of laws, regulations or protocols that are not properly implemented. In most cases, the aforementioned is based on lack of information, which means rules are not applied or even demanded because women parliamentarians don't know of their existence. Moreover, the analysis shows further and complex explanations aiming at justifying a “causal relation between gender-based political violence and the object of that violence”.

The social media analysis provided the research with a broader perspective within a national context and on the scale of online gender-based violence and online harassment, contributing to the overall understanding of social media users' perception and awareness of online gender-political violence. Reviewing how social media influences and reproduces social and gender norms around women's political participation contributes to understanding the impact gendered disinformation and online abuse have in shaping the experiences of women in politics. The data collection shows when participants refer to the importance of public support in order to further their own efforts in parliamentary contexts when advocating for a real commitment to gender equality.

¹ For more information see ANNEX A.

² For more information see ANNEX C.

Regarding these objectives, the review of social networks shows a counterproductive sample of narratives that tend to objectify and dehumanize women politicians, through publications that personalize, stage lawfare³, portray them as frivolous, mock their physical appearance, change their gender, compare them to animals, among others. Online sexual harassment and attacks can range from portraying women politicians as incompetent because they are not men, practicing textual-based and image-based sexual abuse to sexual abuse and death threats.

GUIDELINES FOR A PARLIAMENTARIAN CODE OF CONDUCT

This section presents suggested guidelines for developing a Code of Conduct in Parliaments to ensure a comprehensive and targeted response to online political violence against women parliamentarians, encompassing different dimensions of the analysis.

The following guidelines suggestions were constructed in reference to both the findings of the research, regarding qualitative analysis of surveys and in-depth interviews, and the analysis of legal frameworks, including examples of existent measures implemented by diverse countries in Latin America. The tools applied during the research helped orient the development of these guidelines.

SUGGESTED GUIDELINES FOR THE CONSTRUCTION OF A PARLIAMENTARY CODE OF CONDUCT

☑ Draft a Code of Conduct with a focus on reinforcing existing regulatory frameworks aiming at addressing Gender-Based Political Violence in Parliaments and strengthening women's political participation.

- A Code of Conduct could act as an instrument inside a wider strategy able to materialize State responsibilities⁴ inside public institutions. In this case the following sections from the European Parliament Code of Conduct could be used:

- In parliamentary debates in the Chamber, Members shall not resort to offensive language in general. As an example:

*"The assessment of whether the language used by a Member in a parliamentary debate is offensive or not should take into consideration, inter alia, the identifiable intentions of the speaker, the perception of the statement by the public, the extent to which it harms the dignity and reputation of Parliament, and the freedom of speech of the Member concerned. By way of example, defamatory language, "hate speech" and incitement to discrimination based, in particular, on any ground referred to in Article 21 of the Charter of Fundamental Rights, would ordinarily constitute cases of "offensive language" within the meaning of this Rule."*⁵

- Members shall refrain from any type of psychological or sexual harassment in the exercise of their duties. Another example:

*"Members shall refrain from any type of psychological or sexual harassment and shall respect the Code of appropriate behaviour for Members of the European Parliament in exercising their duties which is attached to these Rules of Procedure."*⁶

☑ Recognizing the multidimensionality of gender violence can be an aggravating factor to Online Gender-Based Violence against politicians. People who identify as women can have multiple marginalized identities in addition to gender (age, race, class, etc) which can lead to increased and more severe attacks. It is important for codes to acknowledge and recognize this dynamic.

³ The use of legal systems and institutions to damage or delegitimize an opponent, or to deter an individual's usage of their legal rights.

⁴ Bolivia, Decree No. 2935, Art. 10

⁵ Rules of Procedure of the European Parliament, Rule 10 (6)

⁶ The Code of Conduct for members of the Parliamentary Assembly of the Council of Europe, which is a compendium of provisions in force in January 2022, establishes that members shall refrain from any form of sexism, harassment and sexual violence and/or misconduct. Furthermore, it states that for all cases of sexism, harassment and sexual violence and misconduct that involve members of Parliament, procedures in the framework of the anti-harassment policy of the Council of Europe shall be followed.

☑ Implement an autonomous figure (ex. committee of Parliamentarians) in charge of receiving and processing reported cases of online gender-based political violence experienced by women parliamentarians.

☑ Develop a section in the Parliamentary Code of Conduct that clearly typifies violence⁷ based on the following:

- Typification of Online Gender-Based Violence⁸ (including: stigmatization, discrimination, harassment, threats, intimidation, psychological violence, verbal violence, hate speech).
- Include multidimensional factors (inclusion) such as class, race and migration status of women parliamentarians in the typification.
- Typification and definition of political gender-based violence.
- Develop a mechanism to report online-gendered violence based by type on the typification of the attack.

☑ Develop an internal mechanism to protect women parliamentarians reporting online-gendered violence, to include the following:

- Guarantee privacy and anonymity of the person submitting the report.
- Facilitate allowances for absences from parliamentary duties for women parliamentarians reporting cases of online gender-based political violence without impacting their Parliamentary salaries, perks or allowances.

☑ Evaluate mechanisms such as the creation of an outsourced figure⁹ or committee, in charge of applying sanctions to online gender-based political violence experienced by women parliamentarians.

☑ Implement mechanisms to take action (such as raising awareness, prevention, regulation, and sanctions) through an administrative sanctioning body after the reporting of a case of online gender-based violence.

☑ Develop differentiated actions or sanctions regarding Parliamentary bodies involved¹⁰ depending on the source of the perpetrator if identified or not:

- Anonymous -not known source
- Identified member of the parliament once due process is finalized
- Political Party accountability



⁷ *Glossary of existent acronyms for a typification through the categorization of types of gender-based violence and typification of online abuse as violence: GBV: Gender Based Violence; OGBV: Online Gender Based Violence; TFGBV: Technology Facilitated Gender-Based Violence; GPV: Gendered Political Violence; PVTW: Political Violence Targeting Women; GBP VAW: Gender-Based Political; Violence Against Women; VAWP: Violence Against Women Politicians; VAW-P: Violence Against Women in Politics; OVAWP: Online Violence Against Women Politicians. Online Sexual Harassment: IBSA: Image-Based Sexual Abuse; TBSA: Text- Based Sexual Abuse, i.a.*

⁸ *Argentina, UN Women and Instagram developed a Safety Guide for Women in Politics. Including on letter H “Public-political violence against women: that which, based on gender reasons, through intimidation, harassment, disgrace, discredit, persecution, harassment and/or threats, prevents or limits the proper development of political life or access to rights and political duties, violating current regulations regarding the political representation of women, and/or discouraging or undermining the political exercise or political activity of women, which may occur in any space of public and political life, such as state institutions, voting precincts, political parties, social organizations, union associations, media, among others.”*

⁹ *UN Women, in coordination with UNDP and International IDEA, established a strategic partnership with the National Plurinational Assembly that directly contributed to the establishment of a parliamentary special commission against harassment and political violence. Guidance note: PREVENTING VIOLENCE AGAINST WOMEN IN POLITICS: <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Guidance-note-Preventing-violence-against-women-in-politics-en.pdf>*

¹⁰ *Ecuador’s Code of Democracy (2020), Art. 282. For example violations by the media or digital media in the cases of disseminating messages or programming that includes acts constituting gender-based political violence.*

☑ Use a multi-stakeholder approach when socializing the Code of Conduct including awareness and prevention campaigns and workshops aiming at avoiding the normalization and raising visibility of OGBV against politicians. Possible areas:

- Parliamentary committees
- Chambers
- Addressed to pertinent Committees
- Addressed to Committees in Digital, Gender, Constitutional, Fundamental Rights, etc.
- Addressed to Parliamentarians active on Social Media

☑ Consider a multi-prong approach when socializing the Code of Conduct aimed at further regulatory processes in other institutions, and its relation with Parliaments, such as:

- Government cabinetry
- Regional or provincial government
- Local government
- CSO and NGO leaders

APPLIED VERSION OF A CODE OF CONDUCT - BASED ON BEST PRACTICES IN LAC COUNTRIES

To change the paradigm of political life, a Code of Conduct shall include a new set of norms that can be formally stated as conduct deriving from gender-based political violence in political establishments. This should produce an understanding, recognition and awareness about the democratic harms that result from discouraging or undermining the political exercise or political activity of women, which may occur in any space of public and political life. This should include government institutions, voting precincts, political parties, social organizations, and union associations, among others.

☑ Work on addressing conducts that prevent or limit the proper development of political life or access to rights and political duties:

- **Offline¹¹ violence against women** in politics using intimidation, harassment, disgrace, discredit, persecution, harassment and/or threats.
 - Online Gender-Based Political Violence such as Discrimination, Psychological violence, Cyberbullying, Cyberstalking, Doxxing, Gender trolling, Threats, Online Sexual Harassment: Image-Based Sexual Abuse, Text-Based Sexual Abuse, Sexist trolling, i.a.
- The Code of Conduct shall include a new set of norms that can be formally stated as conducts that derive from online gender-based violence. This includes:
- Eradicating offensive language by members of parliament outside of parliament (narrative in the media, social media postings)
 - Eradicating sexism and harassment when referring to women parliamentarians in online platforms (social media)
 - Upholding women's rights, including the right to a life free from violence
 - Renewed commitment to gender equality adopting non-sexist language to ensure women's equal access to political participation
 - Reinforcing gender equality via actively advocating for women parliamentarians
 - Reinforcing gender equality via actively advocating for women parliamentarians participation in decision making mechanisms in parliament
 - Based on testimonies of women parliamentarians during the interviews, public support is seen as to negotiate establishing new paradigms of political conduct
 - A Code of Conduct could incorporate awareness-raising initiatives such as campaigns against gender cyberbullying or online harassment.

¹¹ Argentina, UN Women and Instagram Safety Guide for Women in Politics <https://perma.cc/XPB8-ZDPP> On Public Political Violence against women based on gender reasons.

¹² UN Women and Observatorio de Paridad Democrática de Bolivia (ODP or Parity Democracy Observatory of Bolivia)

IMPLEMENTATION GAPS AND SYSTEMIC BARRIERS

When working to develop or implement a Code of Conduct, it is important to consider the following gaps and systemic barriers, as noted by the political women who participated in the study:

☑ **On bureaucracy barriers**, the study found the perception of reporting unjust treatment or violence against women processes as full of obstacles and challenges, too many stages and requisites that present additional effort and makes legislative processes too long and complex.

☑ **On regulatory gaps**, the study found content including lack of sanctions or of their applicability, lack of awareness of Parliamentarians and general public, and lack of received preparation on GBV prevention. Also, the efficacy of regulatory frameworks has been described as dependent on the judges and administrative authorities.

☑ **On barriers to prove gender-based violence**, the study found content referring to conflict of interest, especially regarding people in decision-making positions that are assumed to have acquired those positions because of their acquaintances. This would translate into a reinforced position of power asymmetry when faced with that additional contrast between women without that privileged position who find themselves trying to prove they have been victims in front of, or even depending on the criteria of these men (politically positioned by privilege itself), and then getting their evidence as victims of gender-based political violence turned down before being able to sue. Also, there can be found repeated mentions of the unjust need for political will in order for the accuser to even obtain information or proof. Therefore, suggestions arise about reversing the burden of proof in order to make the process fairer and more balanced.

☑ **On masculinity, its conditioning and complicities**, the study finds content that reflects barriers such as how denouncing political violence coming from other politicians has no effect if the aggressor has well-positioned personal connections that can protect him, and therefore his political capital and reputation. This adds to the perception of difficulty on the necessity of parliament's regulations to be taken seriously, when it comes to general political online violence and gender-based political online violence on social media expressing hate speech, and disinformation leading to polarization. Sharing power with women if they are perceived as a sort of "second rank politicians" is expressed as a barrier to make changes on the system, the schemes, and on perspectives and conditions to start with, not to mention parliaments' internal guidelines. From the perspective of political calculation, male parliamentarians could manipulate the implementation of laws or show disinterest on the agenda of a code of conduct where they are implicated, in order to protect themselves and their positions and not to lose their mandates.

☑ **On stereotyping women politicians as weak**, in the content expressed in the interviews, the perception is that when it comes to presenting innovations on gender matters, a dilemma arises between improving laws or presenting new ones. The resistance that unfolds towards women can include branding their interest for the protection of women as uncovering their victimization (politically using their gender right when this is still often seen as advocating for special treatment). This can backfire when showing oneself as vulnerable, as it can incentivize women to stay silent, which results in passively agreeing to resign to combat the all too normalized symbolic violence. Getting exposed or targeted could mean not being able to use the same tactics in the future. Working with women would be perceived as "complicated" and challenging arguments seem to often be minimized as just "noise" whenever it defies men in comfortable positions. The "masculine conditioning" would seem to lead to defensive fights for recognition of their leadership and claiming greater resolution capacity (in comparison to women's capacities).

☑ **On differentiated levels of treatment for women politicians**, part of the content of the study includes references on diverse conditions depending on the profile of women politicians and parliamentarians who have just entered politics and the workings of the legislature, are portrayed as women who are most likely to become “part of the crowd”. Attackers describe this type as more determined to compete with other women, and lead other aggressions and violent practices in order to reach privileged power positions. The other type of political violence would be directed towards “new political profiles” to minimize their role, downplay their experience, develop an intra-gender rivalry, and lead attacks suggesting they don’t belong in politics.

☑ **On invisibilization of gender perspective**, the study finds content interpreting that the ineffectiveness of a law could be due to judges not believing there is gender-based political violence. If a prosecutor were not to believe a woman, claiming she’d be playing the victim, they would not file the complaint. Political parties would dismiss filing complaints claiming a woman to be crazy. Experiences have been shared where developing procedures for receiving complaints, their processing and analysis can change things at the prosecutor’s office, leading some to realize there are sexist prosecutors. Especially in some obvious cases of political gender-based violence, lawsuits within the prosecutor’s office have been necessary to reverse certain interpretations of the law. The content of the research includes claims of revictimization because of symbolic violence of their experiences being invisibilized, as nonexistent. Phrases such as if you can’t stand it, then don’t enter politics are given repeatedly when explaining the normalization of political violence and of the expectation towards women politicians to fail because politics is not meant for them.

☑ **On gender-based political barriers** for advancing in the gender agenda: When evaluating whether to improve a law regarding gender, the tendency for advocates is to calculate opportunities meticulously, and to consider protecting past achievements by not reopening the whole conversation in order to avoid the risk of repeal. Additionally, the analysis suggests insufficient support of the gender agenda by other women parliamentarians, in terms of that being a woman in politics would not turn up to be a more reliable guarantee for that advocacy than other agendas they would prefer to pursue if that could improve their hierarchical positioning process, even more so if they perceive the gender agenda could compromise their hard fought positions in politics.

☑ **On recognition of gender-based violence as violence**, the economic interests of social media platforms are perceived as a barrier because the algorithms prioritize content that creates engagement, which can sometimes lead to the promotion of violent content. There is a tendency to assume this factor prevents digital platform regulation as a whole, not just when centered on online violence or online gender-based political violence. This includes reflections on the materiality of symbolic violence, for example in the case of how algorithms aim for engagement even if they mobilize expressions on social media that can lead to online violence and eventual offline violent actions.

☑ **On cultural barriers**, the data analysis reflects broad debate on normalization as an inhibitor for taking action on sanctions in the political sphere and in social networks. Education is often mentioned as key to reshape social behavioral structures that reproduce and justify violent political practices. Institutions, the body of magistrates and of prosecutors, are also described as reproducing patriarchy and a sexist culture of non-recognition of women as active agents in politics. Even if there is acknowledgment of women not always representing gender equality’s agenda, the interviewees show concern over an overrepresentation of white and/or upper-class men in the composition of institutions where the reality of gender-based political violence is to be addressed.

ANNEX A- DESK REVIEW

The regulatory framework adopted in Latin America and the Caribbean during the past few years has promoted the creation of a new paradigm associated with women's political participation.

This legal corpus is mainly constituted by the Regional Conferences on Women in Latin America and the Caribbean and their respective consensuses (Quito, 2007; Brasilia, 2010; Dominican Republic, 2014), the Montevideo Population and Development Conference, 2013 and 2016 and, above all, by three regulatory instruments that converged in 2015 and accelerated this process: the Framework Standard to consolidate Parity Democracy (UN Women/Parlatino), the Declaration on Violence and Political Harassment Against Women (OAS/ CIM) –first regional agreement on the subject– and the 2030 Agenda for Sustainable Development, which established gender equality and the empowerment of women and girls as a goal for the 193 signatory States.

EXISTING LEGAL FRAMEWORKS IN LATIN AMERICA AND THE CARIBBEAN

As it follows, the desk review produced the following examples of regulatory frameworks and laws to combat VAW in the region:

☑ In Argentina, Law No. 27,533 (2019) modifying the Comprehensive Law on Gender Violence (No. 26,485), whose objective is to make visible, prevent and punish political gender violence, defines gender political violence. In addition:

- UN Women and Instagram developed a Safety Guide for Women in Politics.¹³ Including on letter H *“Public-political violence against women: that which, based on gender reasons, through intimidation, harassment, disgrace, discredit, persecution, harassment and/or threats, prevents or limits the proper development of political life or access to rights and political duties, violating current regulations regarding the political representation of women, and/or discouraging or undermining the political exercise or political activity of women, which may occur in any space of public and political life, such as state institutions, voting precincts, political parties, social organizations, union associations, media, among others.”*

☑ In Bolivia, after the adoption of Law No. 243 - Against harassment and/or political violence towards women, violence in the political exercise and leadership of women was recognized in Art. 7, Inc. 13 of the Law No 348 - Comprehensive to guarantee a life free of violence (2013), which provides: “understand the provisions of Article 7 of Law No. 243, Against Harassment and Political Violence towards Women.” This bill also defines “political harassment”.¹⁴ In addition:

- UN Women, in coordination with UNDP and International IDEA, established a strategic partnership with the National Plurinational Assembly that directly contributed to the establishment of a **parliamentary special commission against harassment and political violence**.¹⁵

- **The Observatorio de Paridad Democrática de Bolivia** (ODP or Parity Democracy Observatory of Bolivia) organized a campaign against cyberbullying and online harassment with UN Women's support in 2020 that included several awareness-raising initiatives.

- **In Bolivia, Decree No. 2935 , Art. 10**¹⁶, establishes State responsibilities for designing and implementing oral and written communication strategies through social networks to prevent harassment and/or political violence based on gender.

¹³ <https://perma.cc/XPB8-ZDPP>

¹⁴ <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Guidance-note-Preventing-violence-against-women-in-politics-en.pdf>

¹⁵ <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Guidance-note-Preventing-violence-against-women-in-politics-en.pdf>

¹⁶ https://sea.gob.bo/digesto/CompendioII/J/68_DS_2935.pdf

☑ In Chile, the Comprehensive Law against Violence towards Women (2024). Art. 6 of the law states that symbolic violence is “any communication or dissemination of messages, texts, sounds or images in any media or platform, whose purpose is to naturalize stereotypes that affect their dignity, justify or naturalize relationships of subordination, inequality or discrimination against women.”

☑ In Colombia: Act N° 1257 states that ‘Through which norms on the awareness, prevention and punishment of all forms of violence and discrimination against women are established, amends the Penal Code, Criminal Procedures, Act 294 of 1996 and enact other provisions’ (2008).¹⁷

☑ In Ecuador, the Law to prevent and eradicate violence against women (2018), in Art. 10, includes a definition for “gender political violence”. In addition:

• Organic Electoral Law, Code of Democracy (2020), Art. 282 states that *“violations by the media, including digital media, shall be sanctioned by the suspension of advertising in such media and a fine ranging from twenty-five unified basic wages to two hundred and fifty-five unified basic wages, and even suspension of the media for up to six months if it reoffends, in the following cases: (...) 7. Disseminating messages or programming that includes acts constituting gender-based political violence.”*¹⁸

☑ In Mexico (2020), the Decree by which various provisions are reformed and added to the General Law of Women's Access to a Life Free of Violence, General Law of Electoral Institutions and Procedures, General Law of the System of Means of Challenge in Electoral Matters, General Law of Political Parties, General Law on Electoral Crimes, Organic Law of the Attorney General of the Republic, Organic Law of the Judicial Branch of the Federation and General Law of Administrative Responsibilities defines “political gender violence”.

☑ In Panama, Law No. 82 - Criminalizes femicide and violence against women (2013) includes a definition for political violence against women.

☑ In the case of Paraguay, Law No. 5,777 - On the Comprehensive Protection of Women against all forms of violence (promulgated on December 27, 2016) contemplates political violence against women as another form of gender violence.

• It is worth noting that in Paraguay, political gender violence was incorporated into the IV National Equality Plan.

☑ In Peru, the National Plan against Gender Violence (2016-2021), included a definition for political harassment against women.

☑ In Uruguay, Law No. 19,580 - Violence against women based on gender (2018) includes a definition for “political violence”.

☑ **Regional:** In 2017, the adoption of the **Inter-American Model Law on Political Violence against Women in Political Life**¹⁹ (OAS/CIM) significantly promoted the denaturalization and visibility of this problem in the region and, in certain States, promoted the need to establish a regulatory framework aimed at its prevention, punishment and eradication. The adoption of this legislation with Bolivia's pioneering experience of adopting Law No. 243 against political gender harassment and/or violence (2012) and the parity drive that the region is going through – promoted by the new regional regulatory framework – constituted a scenario that made possible the debate on the conceptualization of this problem from the legal perspective.

¹⁷ https://oig.cepal.org/sites/default/files/2008_col_ley1257.pdf

¹⁸ <https://www.igualdadgenero.gob.ec/wp-content/uploads/2020/02/Ley-Org%C3%A1nica-Electoral-C%C3%B3digo-de-la-Democracia.pdf> (p. 93)

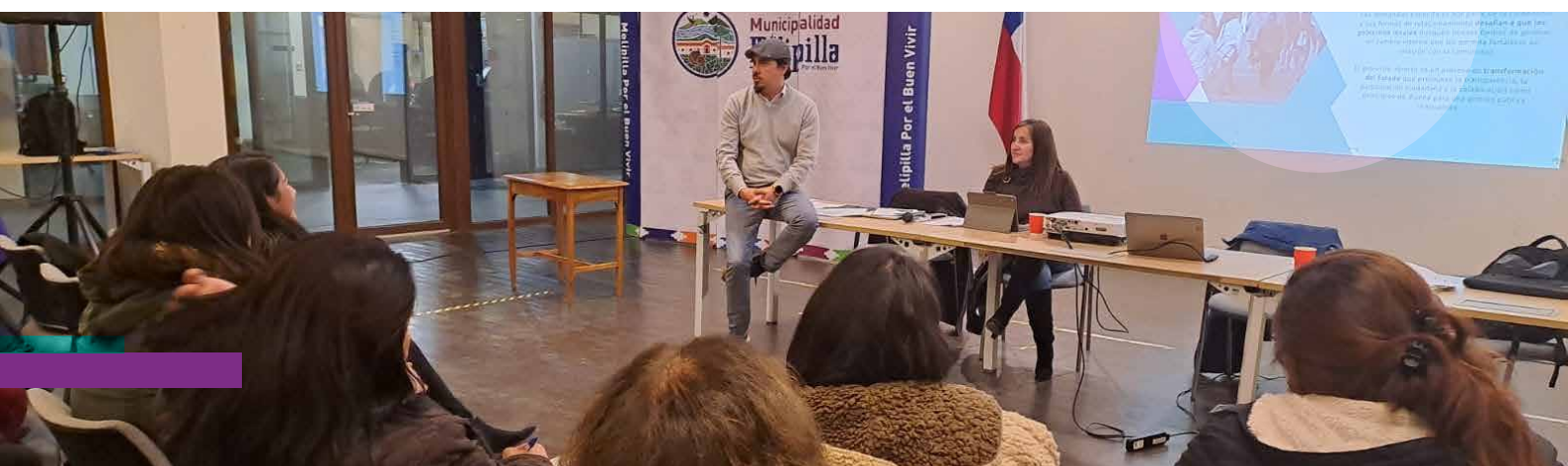
¹⁹ <https://www.oas.org/en/mesecvi/docs/LeyModeloViolenciaPolitica-EN.pdf>

Finally, it is important to mention the Convention of Belém do Pará (1994) (Article 8, point G states *“The States Parties agree to undertake progressively specific measures, including programs to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women”*)²⁰. This is the first international treaty that addresses the problem of gender violence and is key in the process of identifying mechanisms or roadmaps in the design of codes of protection, conduct in parliaments and, in addition, has made possible the design of even more specific legal frameworks regarding gender political violence, such as the Declaration on Violence and Political Harassment against Women (OAS/CIM, 2015) (first regional agreement in the matter), the Inter-American Model Law on Political Violence against Women (OAS/CIM, 2017), and the Model Protocol for Political Parties to prevent, address, punish and eradicate violence against women in political life (OAS/CIM, 2019).

Although there are no parliamentary codes of conduct to combat **online** gender political violence in the region, we do find protocols for the prevention and intervention with a gender perspective of situations of harassment and/or workplace: in Argentina, with the Protocol for prevention and intervention in situations of workplace violence with a gender perspective²¹; Examples of protocols on gender violence specifically in the scope of national assemblies are: in Chile, the protocol for the prevention and punishment of sexual harassment in the Chamber of Deputies²² (2019); El Salvador, Action protocol for acts of discrimination and violence against women for reasons of gender in the Legislative Assembly²³ (2012); and in Mexico, Protocol for the prevention, attention and punishment of gender violence within the Senate²⁴ (2019).

In several countries in the region we can observe the existence of the recognition of gender violence within the scope of certain political institutions, although without being explicitly defined as harassment and/or political gender violence (Argentina, 2010, and El Salvador, 2011), or the incorporation of its specific conceptualization in gender violence laws (Argentina, 2019; Bolivia, 2013; Ecuador, 2018; Panama, 2013; Paraguay, 2016, and Uruguay, 2018).

Despite the aforementioned, there is no Code of Conduct for parliamentarians or Political Parties in the region that includes provisions to protect women in Parliaments from violence in the exercise of their rights.



²⁰ <https://www.oas.org/en/mesecvi/docs/belemdopara-english.pdf>

²¹ https://www.argentina.gob.ar/sites/default/files/enohsa_protocolo_violencia_laboral.pdf Action Protocol for Prevention, Guidance and Intervention in Situations of Workplace Violence and/or Gender Violence

²² https://www.camara.cl/camara/doc/leyes_normas/protocolo.pdf See: Chapters III; IV; V and VI.

²³ <https://www.transparencia.gob.sv/institutions/anda/documents/544524/download>

²⁴ <https://unidadgenero.senado.gob.mx/doc/publicaciones/ProtocoloCVG.pdf>

RECOMMENDATIONS OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

☑ Recommendation Rec (2003) 3 of the Committee of Ministers and explanatory memorandum²⁵ “Balanced participation of women and men in political and public decision-making”, established that member states should consider possible constitutional and/or legislative changes, including positive action measures, to facilitate a more balanced participation of women and men in political and public decision making.

☑ Recommendation 2152 (2019)²⁶ and Resolution 2274 (2019)²⁷ raise awareness of the issue of sexism, sexual harassment and violence against women, draws attention to obligations to uphold women’s rights, including the right to a life free from violence, and puts forward concrete recommendations for action to address the situation.

☑ Recommendation 2157 (2019)²⁸ and Resolution 2290 (2019) calls member States and national parliaments to renew the political commitment to gender equality, to adopt guidelines for non-sexist language at the Council of Europe and undertake measures to ensure women’s equal political participation.

☑ The Code of conduct for members of the Parliamentary Assembly of the Council of Europe, which is a compendium of provisions in force in January 2022²⁹, establishes “20. For all the cases concerning any form of sexism, harassment and sexual violence and misconduct that involve members of the Parliamentary Assembly, a recommendation or decision taken under the Council of Europe procedures in the framework of its anti-harassment policy shall be forwarded to the Committee on Rules of Procedure, Immunities and Institutional Affairs for final determination of the case.” It establishes that members shall refrain from any form of sexism, harassment and sexual violence and/or misconduct. Furthermore, it states that for all cases of sexism, harassment and sexual violence and misconduct that involve members of Parliament, procedures in the framework of the anti-harassment policy of the Council of Europe shall be followed.

☑ In *Parliaments Free of Sexism and Sexual Harassment*, the Recommended actions for National Parliaments are introduced as follows: “Actions to ensure a safe working environment, a parliament free of sexism and sexual harassment³⁰, require first and foremost strong commitment at the highest political level and change of mindsets.”

The following examples of appropriate behavior rules were identified in the case of the European Parliament:

☑ According to the Rule 10 (6) of the Rules of Procedure, members shall refrain from any type of psychological or sexual harassment in the exercise of their duties.

☑ Furthermore, the Code of Appropriate Behaviour for Members of the European Parliament seeks to ensure that members behave towards everyone working in the Parliament with dignity, courtesy and respect and without prejudice or discrimination.

²⁵ <https://rm.coe.int/1680519084>

²⁶ <https://pace.coe.int/en/files/27615/html>

²⁷ <https://pace.coe.int/en/files/27614>

²⁸ <https://pace.coe.int/en/files/28019>

²⁹ <https://assembly.coe.int/LifeRay/APCE/pdf/Procedure/CodeOfConduct-EN.pdf> See page 4, Rule 20.

³⁰ <https://rm.coe.int/brochureparliamentsexism-en/1680994e25>

OBJECTIVES

The objective of this study is to develop a robust parliamentary code of conduct specifically tailored to combat the scourge of online gender-based political violence against women parliamentarians. This entails delving into nuanced aspects such as cultural dynamics, existing regulatory frameworks, and societal attitudes, thereby ensuring the effectiveness and relevance of the proposed guidelines in addressing this pressing issue in Latin America.

SPECIFIC OBJECTIVES

- ☑ Know the role of social networks in parliamentary work and in the political life of parliamentarians in Argentina, Mexico, Colombia, Peru and Brazil.
- ☑ Outline a code of conduct to prevent, address, punish and eradicate cases of political violence against women in parliament.
- ☑ Make visible violence against women as an impediment in the performance of women in parliamentary exercise in Argentina, Mexico, Colombia, Peru and Brazil.
- ☑ Engage with stakeholders including parliamentarians, civil society organizations, and relevant governmental bodies to garner support and advocacy for the implementation of the proposed parliamentary code of conduct and related initiatives to combat online gender-based political violence.
- ☑ Assess the effectiveness of existing parliamentary regulations and legal frameworks in Argentina, Mexico, Colombia, Peru, and Brazil in addressing online gender-based political violence against women parliamentarians, identifying gaps and areas for improvement.

METHODOLOGY

The methodology entails a comprehensive approach, combining a desk review, surveys and interviews. The desk review focuses on an analysis of legal frameworks regarding the protection of women from online gender-based political violence in Latin America. This part of the research delivers a comparative on existing measures, agreements, and laws that contribute to shaping the response mechanisms against digital violence targeting women in the political sphere across the region.

The selection of Argentina, Mexico, Colombia, Peru, and Brazil for this study is intentional, driven by both commonalities and distinctions that characterize these countries within the Latin American context. While each nation boasts unique socio-political landscapes, they share a common thread of grappling with issues related to gender-based violence and political participation. Additionally, their diverse legal frameworks provide an insightful lens through which to explore the varied approaches to addressing online gender-based political violence against women parliamentarians.

The methodology for the analysis is qualitative. The data collection has been carried out through two research tools presented to primary sources. These tools are: 1) standardized surveys and 2) in-depth interviews.

In order to enrich the outcomes of the collection of primary information, A referential complement is made based on secondary information on and background information on cases of GBV involving political figures in LAC to provide context.

IMPLEMENTATION

The field study has been conducted in two parts:

☑ The first part consists of surveys to obtain quantitative data revolving around existing tools to mitigate digital political violence and personal experience with digital political violence. The surveys are confidential with the option of anonymity to generate a safe approach. The aim has been to make the necessary conditions to achieve the interviewed women feel comfortable to share their experiences, without pressure or fear. At the end of the survey, an additional section was presented in case of an existent interest to register for an in-depth interview to further explain and discuss their experiences.

☑ In-depth interviews have been the second part of the research. These semi-structured interviews have been designed to deepen questions onto more subjective aspects, aiming to enrich the comprehension process of existing regulations, mechanisms in practice and mainly aimed to provide further understanding of how it is that digital political violence directed towards women affects their public performance and personal life.

☑ Analysis of social networks -focused primarily on Twitter- will be structured in such a way that it will be analyzed as a secondary source of information on congresswomen. This tracking gives us a first approach to the profile of the congresswomen and allows us to structure the interviews.

SELECTION CRITERIA

The target population of the research are parliamentarian women from Latin America. Their direct involvement in the political landscape positions them as key sources of information for this study. They have personal experience with how codes of conduct (if existing) operate within their legislative bodies, an understanding of the dynamics of digital political violence against women, and its potential consequences.

The survey also considered women from the contemplated countries that have been referential in the political sphere, as they are still considered experts in the field.



ANALYSIS OF THE DATA COLLECTED THROUGH THE SURVEY AND IN-DEPTH INTERVIEWS:

Following receipt of feedback from the survey and subsequent focus group discussions, the information obtained will be analyzed by categorizing it into various themes including the challenges and best practices or recommendations. Based on the information provided, an analysis will be made to identify the gaps. The gaps were key in designing the framing of the in-depth interview questions.

The research included several instruments including a desk review, surveys, social media data analysis and in-depth interviews. Data analysis carried out in social media platforms facilitated the inclusion of additional information not considered in the Desk Review, interview and surveys.

From the analysis of the interviews we were able to collect significant information on perceptions, perspectives and narratives reflecting congresswomen's experiences in the exercise of their political positions being a woman. The main insights this data provides show the existence of gender-based violence in parliamentary contexts and a set of barriers that inhibit the institutional and cultural transgressing of social norms that remain stagnant in the political structure. Ranging from ignoring or minimizing principles of gender equality and the political agency of women politicians, including crossgender acceptance of myogenic behavior and masculine complicity, to the inhibition of reopening gender agenda bills to avoid repeal or the hindering of processes meant for identifying, recognizing and denouncing gender-based political violence when trying to provide evidence proving they have been victims. We summarize these in the following outcomes:

- Mentions of existence of gendered political violence
- Mentions of existence of online gendered violence
- An overall perception of gender-based violence as general political motivated
- Low expectations on mechanisms to identify/recognize victims of gender-based violence
- Lack of a baseline to show the impact of online gender-based political violence in the exercise of parliamentary work
- Bureaucratic processes represent a barrier for reporting violence
- Existence of complicit masculinity that inhibits the creation of regulatory frameworks
- Lack of political will in the Parliament to develop an internal regulatory frameworks
- Existence of gender-based political discrimination
- Existence of gender stereotype about women politicians weakness can be a barrier for stepping forward as victims of gender-based political violence
- Narratives efforts to justify receiving violence arguing lack of women's assimilation of the political culture
- Relativization of the need to address gender-based political violence so as not to compromise already acquired political status
- Naturalization of gender-based political violence based cultural narrative
- Lack of general knowledge about the existence of regulatory instruments

ANNEX C- QUALITATIVE DATA ANALYSIS

During the in-depth interviews, there were a series of concepts that were repeated by the candidates. Among them, the two most redundant were **"violence"** and **"gender"**, the latter making much more reference to women than to men. A third concept that was insisted on is **"politics"**, including its multiple meanings, the most used was that of the world of politics in which these parliaments operate.

However, there was a notable difference within the discourses of the interviewees. When talking about sanctions, those who made distinctions between women and men emphasized the need to apply sanctions when committing acts of gender violence. On the other hand, the interviewees who used a less separatist discourse spoke about (preventive) politics and education.

Although both groups contemplated the problem in question, the way in which a solution could be achieved was not homogeneous. We are faced with a continuous debate, whether bad practices should be punished to encourage their elimination or whether bad practices should be corrected from the source to avoid them in the first instance. The true question in hand is whether each of these alternatives are even possible, and if so, what elements should be included to effectively apply a solution. That is where the making of recommendations for an internal code of conduct come into place.

OVERVIEW OF THE CONCEPT ANALYSIS OF SURVEY OUTCOMES

In the analyzed surveys, when asked about their opinion on why there weren't any regulatory frameworks in their countries, the surveyed mostly responded that it was due to conflicts of interest (28.6%) and due to lack of diagnoses that show the incidence of this type of violence in the exercise of parliamentary work (28.6%). The other answers revealed that the surveyed thought there was a lack of political will for its construction (14.3%), there was not enough knowledge on the matter (14.3%), and due to apathy (14.3%).

The following table presents the register of concepts which were repeatedly mentioned in the survey:

Violence:	Women:	Politics:	Gender:
166 times	161 times	125 times	83 times
Law:	Measures:	Sanctions:	Codes:
50 times	11 times	28 times	11 times
Men:	Agression:	Ethics:	Will:
24 times	6 times	12 times	9 times
Education:	Political parties:	Intention:	Macho:
14 times	11 times	2 times	3 times

OVERVIEW OF THE ANALYSIS OF DATA COLLECTION FROM SOCIAL MEDIA

SOCIAL NETWORK MONITORING

In order to complement the interviewed women politicians with further context, social network monitoring was carried out. To do this, an AI tool called Brand24 was used, which collected social media posts for 30 days (from February 26 to March 27, 2024) that included 10 keywords. The keywords were the names of 10 parliamentarians from Argentina, Mexico, Colombia, Peru and Brazil.

The names were selected by performing searches on Google where the position of the parliamentarian was written, plus the country of origin (e.g. representative of Mexico) and the most relevant results were chosen. Except Argentina, in which the monitoring of Social Networks of the Gender and Parliamentary Equity Observatory, "Violencia Política por Motivos de Género en las Elecciones 2021", was considered. In which the 5 candidates (now deputies) most attacked on social networks during monitoring were revealed. In this case, these 5 names were taken, plus the 5 most relevant results from the Google search to select the 10 keywords.

The results showed that not only were the negative comments more consistent and presented in greater numbers than the positive ones, but that the parliamentarians received a large number of insults, complaints and even threats. Additionally, it was found that the most violent social network for female parliamentarians is X (formerly Twitter).

Among these criticisms comments referring to the parliamentarian's clothing, their ages (calling them old, saying that their best years were behind them), their physical appearances (hair, weight, bust and so on) and the questioning of the femininity of one of the parliamentarians based on her physique, calling her a "fake woman" (disque mujer), her origins (norteña, tamalera, india), were compared to cows, rats and hyenas, and her mental and political capacities were also questioned.

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