DAWN *Informs*

FEMINIST CHALLENGES IN A DIGITAL WORLD

DAWN
FEMINIST

DEVELOPMENT
ALTERNATIVES
WITH WOMEN
FOR A NEW ERA

DAWN Informs is DAWN's periodical publication showcasing the organisation's latest analyses, critiques and commentaries.

DAWN provides an analytical framework that has changed the terms of the debate on women's issues worldwide. Its continuing analyses of the interlocking, systemic crises of debt, deteriorating social services, environmental degradation, food insecurity, religious fundamentalisms, militarisms and political conservatisms grows out of the experiences of poor women living in the countries of the economic South.

DAWN Informs is a space for the free circulation of these ideas and has been issued since the 1980s.

DAWN
FEMINIST

DEVELOPMENT
ALTERNATIVES
WITH WOMEN
FOR A NEW ERA

DAWN is a network of feminist scholars and activists from the economic South, engaged in feminist research and analysis of the global environment, working for sustainable development, economic and gender justice.
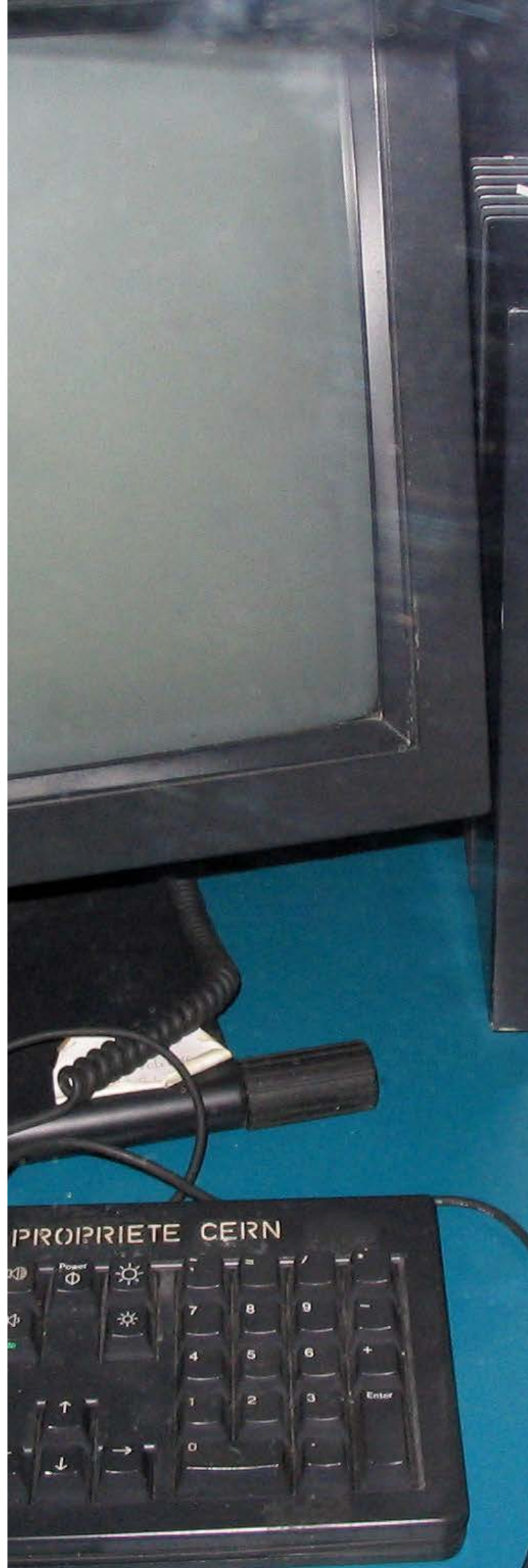
INDEX

INTRODUCTION

FEMINIST CHALLENGES IN A DIGITAL WORLD

Flora Partenio
& Sala Weleilakeba

The world entered the digital age with the creation of the internet in the 1960s, but it wasn't until the 1990s that the online world began to resemble what we know as the internet now. When Tim Bernes-Lee launched his "World-Wide Web", it popularised the internet and led to its becoming an information and entertainment staple in modern life (*Imagining the Internet n.d*). While computers were the main means to access the internet in the 1990s and early 2000s, the introduction and subsequent ubiquity of the smartphone led to the boom—mainly due to its convenience and portability (Wilmer, Sherman & Chein, 2017). How did we arrive at this fourth industrial revolution? Under this "revolution", it is possible to trace the increase in information and communication technologies, particularly in production and labour dynamics, where processes of robotisation, digitisation, and development of Artificial Intelligence in different areas and services are articulated. The dominant narratives that praise this unstoppable technological transformation highlight the dynamism of the so-called "collaborative economy" and digital commerce. However, these narratives avoid showing the risks involved for labour rights and compliance with tax regulations.

The COVID-19 pandemic has further accelerated this process of expansion into digitalisation[1] and virtualisation[2]. Since the onset of the COVID-19 pandemic in 2020, we have been experiencing deep transformations in social, economic and labour dynamics. Growing virtualisation of labour, social relations, and financial and commercial exchanges have led to thousands of workers working remotely from their homes. During the lockdowns, people's mobility was monitored through applications managed by governments.

Feminist debates on the "future of work" began long before the pandemic (Scasserra & Partenio, 2020). We were warned that the jobs driven by the so-called "4.0 revolution" and the platform economy contain a series of challenges related to care, labour rights, social security and social protection (ibid). The digital and data revolution has highlighted grave concerns for gender justice, such as perpetuating existing patterns of gender inequality, and this was worsened by the pandemic.

When we discuss the "digital economy, we refer to the increasing reorganisation of market exchanges by platforms" (Gurumurthy, 2020: p. 1). "As it is today, the platform economy is extractivist, exploitative and expedient" (ibid). Platformisation transforms production,

distribution and social reproduction in ways that reinforce the concentration of economic and social power in the hands of corporations and countries of the global North (Gurumurthy, Chami and Alemany, 2018). Economic relations and economic activity are being reorganised with the advent of platforms, and women's contribution to the platform economy is often invisible. This emerging economy is reproducing social inequalities as platform companies have emerged as a dominant force controlling social interactions and the marketplace.

> *The edifice of digital capitalism is rooted in extreme inequality. Digitalisation is co-linear with the concentration of economic power in the hands of a few, a falling share of returns for labour as compared to capital, and limited progress in income inequality within and among countries. Women are disproportionately affected by this rise in inequality and are more likely to experience extreme poverty* (Gurumurthy and Chami, 2021: p.2).

The pandemic context has amplified these inequalities, widened the digital divide and accelerated women's digital exclusion by highlighting the socio-economic disparities within and between countries.

The digital and data revolution has thus raised a number of concerns around gender justice and human rights. What are the responses from the feminist movement? In the last 10 years, the world has seen a rise in feminist activism and sentiment on these concerns. "Scholars, activists, and journalists have dubbed [the decade] the fourth

wave of feminism" (Pruchniewska, 2019). A characteristic of the fourth wave is the use of digital technologies and the Internet for feminist activism and debate (Kwan, 2021). Today, digital technologies are creating new forms of political action around the world; and feminist scholarship even argues that the interface between the online and offline is remaking feminism–linking the critical interconnections between the local and global (Samuel, Partenio & Cai, 2022 p.1). In this sense, it is worth asking how the feminist agenda intersects with the human rights agenda in the digital economy. What kind of turning points have occurred in the world of work? What contributions can feminism make to (re) imagine possible futures? What challenges does the transition to the post-pandemic phase pose? Is feminist digital justice possible?

DAWN's collaborative project with IT for Change - Feminist Digital Justice - aims to interpret the emerging technosocial paradigm from a Southern feminist point of view. This issue of DAWN Informs challenges Southern feminists to engage with the political economy of data, to use their knowledge and experiences to critique and reframe debates, highlighting the intersections between gender justice, human rights and the digital frontier. Our authors include feminists working on the frontline of feminist digital justice from diverse experiences, countries and reports.

We explore here the challenges of expanding a digitally mediated world in the context of the COVID-19 crisis. The articles in this publication show the impact of digitalisation on women's livelihoods and human rights in the global South. We address the links between digitisation and digital inclusion; labour rights under new productive models in the post-pandemic scenario; health & vaccine passports; bodies and the global menstruapps market; the surveillance of populations and biopolitics in the pandemic context. Crucial questions arise about data sovereignty, digital security, data privacy and protection. We explore feminist resistance and collective strategies to confront these challenges. Our aim is to understand more deeply, to explore and analyse, to trace the clues, and to open up new questions to continue imagining a feminist future within an increasingly digital world. ◢

References

Gurumurthy. A., (2020). *A Feminist Future of Work in the Post-Pandemic Moment: A New Social Contract as if Women Matter*. [pdf]

Gurumurthy, A., and Chami. N., (2021). *The Deal We Always Wanted: A Feminist Action Framework for the Digital Economy*. [pdf]

Gurumurthy, A., Chami. N., and Alemany, C., (2018). *Gender Equality in the Digital Economy: Emerging Issues: A New Social Contract for Women's Rights in the Data Economy*. [pdf]

'Imagining the Internet', (n.d). *Elon University,* viewed 30 October 2021. [online]

Pruchniewska, U. M., (2019). 'Everyday Feminism in the Digital Era: Gender, The Fourth Wave, and Social Media Affordances', PhD Thesis, Temple University, Philadelphia.

Scasserra, S., and Partenio, F., (2020) "Justicia digital" in *Asociación Argentina Para La Investigación en Historia de las Mujeres y Estudios de Género*, Boletín digital de la AAIHMEG, Año 4 – No. 1 – March. [pdf]

Wilmer, H.H., Sherman, L. E. and Chein, J. M., (2017). 'Smartphones and Cognition: A Review of Research Exploring the Links between Mobile Technology Habits and Cognitive Functioning', *Frontiers in Psychology*, Vol. 8, No. 605, doi: [online]

Endnotes

1. Digitalisation: is the incorporation of digital technologies into business/social processes, with the goal of improving them.

2.Virtualisation: is the act of creating a virtual version of something. It is the process of running a virtual instance of a computer system in a layer abstracted from the virtual hardware. The impact of virtualisation of economic activity in the platform economy can be challenging if one was to implement an effective corporate tax regime. This is challenging because the virtualisation of commercial transactions enables powerful transnational corporations to easily shift profits from higher tax jurisdictions to lower tax jurisdictions, thereby eroding the tax base of the former contexts (2019 Spotlight Report: [pdf]

Flora Partenio

Florencia Partenio (Flora) is from Argentina. She is an alumna of DAWN's Gender, Economic and Ecological Justice (GEEJ) training which took place in 2011 & 2013 in Latin America. Flora has a PhD in Social Sciences from the University of Buenos Aires. She is part of the feminist movement in Argentina and her working areas include labour studies, industrial relations, labour rights, and worker movements. She works on alternatives to development from the perspective of the economy of care, ecology and social economy and solidarity. She is part of DAWN's Social Mobilising team and coordinates **DAWN's School of Feminist Economics** with Corina Rodríguez Enríquez.

Sala Weleilakeba

Salanieta Weleilakeba (Sala) is DAWN's Research Officer based in Fiji and has been with DAWN since 2020. She has a degree in Politics & International Relations, and Anthropology from James Cook University. She has a background in politics, communications and legal work with over 5 years' experience in these fields.

A FEMINIST FUTURE OF WORK IN THE POST-PANDEMIC MOMENT

by Anita Gurumurthy

Digital economy: A feminist frame

The mainstream platform economy is based on an unsustainable model built on the back of a global division of labour that bears the marks of race, class, gender and geography.

Similar to supply chains in the traditional economy where women's contributions go uncounted, so also in the platform economy, those who don't count are kept invisible and irrelevant. The lowest segments of this economy are feminised, in that, they predominantly include women warehouse assistants who work without a pee break, women farmers who keep up the supply of vegetables to all the grocery platforms supplying to cities, women who do dehumanisingly monotonous work in data centres and women domestic workers whose services are readily utilised without really changing the gendered division of drudgery. There is also no room in the platform economy for human reproduction – things like pregnancy are not admissible. Labour is mythified as an individual meritocratic enterprise that can claim equal opportunity in an open world free of rigidity, even as it is built on a naturalised precarity – the feminisation of labour power itself.

Digital economy futures through the prism of the COVID-19 crisis

The COVID-19 crisis has had far-reaching impacts on core sectors in developing countries – agriculture, fisheries, tourism, domestic work and retail – all with high female workforce participation. In most parts of the Global South, the pandemic has also placed enormous hardships on girls' education. Digital exclusion means that women are not able to use emerging opportunities as credit, financial services, skilling and jobs go digital. With automation and digitisation accelerating during the pandemic, women's path to re-entry and re-engagement in the workforce could thus be steeper.

> **Thanks to trade rules, developing countries cannot levy tariffs on foreign e-commerce companies.**

The data economy model that developing countries have embraced is not really rooted in sectors that add value to the aggregate economy in terms of innovation and production of real goods and services. Rather, it is based mostly on outsourced work. If foreign companies affected by the pandemic stop outsourcing online work, the few women in these sectors will lose their jobs. Meanwhile, e-commerce will take off, and while it is clear that it will boost high-end consumption, it is unclear how domestic supply chains will benefit.

In Asia, only China features among the top 10 countries in the data economy, and only Japan and India among the top 25. Only some countries have a footing in digital services like cloud computing. Women are hardly present in these sectors. Their businesses usually do not even have a website, let alone sophisticated cloud computing facilities.

Thanks to trade rules, developing countries cannot levy tariffs on foreign e-commerce companies. Over time, as revenue streams from import tariffs are cut off, poor countries can face extreme hardships in financing social policies, with debilitating impacts on gender budget(s) for women.

A feminist digital future

For our digital future to be feminist, the need of the hour is to go local and look at how data value chains can strengthen local economies of production and innovation in which women are visible and valued, and natural ecosystems respected.

Experts from around the world have called for a focus on distributive justice in the post-Covid moment. Distributive justice is, however, meaningless unless social reproduction is central to its real world execution. A new social contract as if women matter is necessary and possible today. This means ensuring social and economic citizenship for women. Women need a legally guaranteed right to the internet, and poor women in particular need free data allowances. Intermediaries supporting labour need to step up their strategies to reach and retrain women workers online. Public investments are needed in digital infrastructure and to stimulate data value chains through appropriate laws and policies on personal and non-personal data.

Governments have a duty to reimagine the role of technology for a rights-based citizenship rather than use it to lock the poor out and unleash authoritarianism in the name of security. Supply-side dynamics that can reboot the economy depend on data infrastructures that governments need to build. Traditional instruments to rein in Big Tech, such as taxation and competition laws, can only go so far and no more. The path ahead calls for bringing laws up to speed to situate labour rights in the digital moment in order to counter platform exceptionalism. Internationally, it is necessary to adopt indicators that capture the Gross Data Product and the share of labour, specifically, female labour, in the data economy. It is time that developing countries came together to propose a multilateral framework for data and artificial intelligence that promotes just and egalitarian future societies.

But the most important breakthroughs are waiting to happen in alternative forms of economic organisation. Let us not forget that the decentralised power of the internet can be harnessed to promote social and solidarity economies – cooperatives that can federate through data value chains – transferring data dividends from corporations to labour.

Without a new feminist global-to-local pact, we risk putting women into a corner, under extreme duress, even as the platform economy and its DNA for viral proliferation finds new online avenues to discuss neoliberal ideas of bodies, beauty and wellness. Policy choices for the digital economy hold the key to social and economic citizenship for women. Business as usual with new neoliberal flavours can reprivatise women's labour, erasing their contributions to value creation and driving their physical bodies back into places that are hidden.

Anita Gurumurthy

Anita Gurumurthy is a founding member and Executive Director of IT for Change, where she leads research on the platform economy, data and AI governance, democracy in the digital age, and feminist frameworks on digital justice. Anita actively engages in national and international advocacy on digital rights and contributes regularly to academic and media spaces. She serves as advisor and expert on various bodies including the United Nations Secretary-General's 10-Member Group in support of the Technology Facilitation Mechanism, the Paris Peace Forum's working group on algorithmic governance, Save the Children's ICT4D Brain Trust, and Minderoo Tech & Policy Lab's Board.

THE PARADOX OF ESSENTIAL WORK DURING THE PANDEMIC: PLATFORM WORK IN ARGENTINA

by Flora Partenio

The new forms of work that have emerged with the advent of the platform economy have thrown up fresh challenges in the ongoing struggle for labour, social security and social protection rights. During the pandemic, these challenges were reinforced, especially in countries that do not have a regulatory framework to protect workers' rights. At the same time, platform companies expanded their market value, lobbying against demands for corporate tax regulations and undermining demands for better working conditions and social protections for workers who depend on these sectors for an income.

In March 2020, the Argentinian government imposed compulsory isolation measures as part of the pandemic-induced health emergency declared throughout the country. These measures specified the categories of workers who were forbidden from going to physical workplaces and travelling on public roads and others who were exempted from complying with these rules because they were "essential in the emergency". Platform workers engaged in the delivery of food, groceries and medicine belonged to the latter group as they fulfilled an "essential activity" that allowed the rest of the population to stay home. As countries went into partial and complete lockdowns across the Global South and North, delivery work was carried out entirely by 'riders' on mobile application-based platforms (Partenio, Hidalgo and Valencia Castro, 2020).

Even before the pandemic, the delivery sector in Argentina was monopolised by a handful of trans-Latin or transnational companies. They operated as digital platforms, assigning orders to delivery workers via geolocation-enabled mobile applications. Equipped with a business model with low set-up costs, these app-based platforms expanded rapidly across different cities. In the absence of labour and tax regulations, they had been able to increase their profits exponentially. In the aftermath of the health crisis, they were able to consolidate their market position even further, in large part due to the world's increased reliance on digital technologies.

But even as the companies raked in millions of dollars in profits, the riders who worked on these platforms struggled to fulfil an essential service at great risk to their health and with almost no social protection measures that would ensure their safety. Lax or non-existent labour regulations and the informality attached to platform work ensured that platform companies were (and continue to be) under no obligation to direct a part of their profits towards safeguarding workers. Lockdown opportunism, bred in crisis and confinement, reiterated what we already knew — that capital always has a way out (Gurumurthy and Chami, 2020).

As such, the paradoxes of platform work became especially clear during the COVID-19 crisis. Workers exempted from complying with the compulsory isolation decree in Argentina were deemed 'essential', but their wages and working conditions were not prioritised. During the early days of the pandemic, some platform companies launched campaigns lauding the "heroism" of delivery workers during the lockdown. "For delivering what we need, we call them Rappi heroes," one of these slogans said. To this, trade union organisations responded, "We are not heroes or heroines. We are workers at risk," laying bare the companies' attempts to pacify workers through empty rhetoric without providing them with the basic social protection gear (masks, sanitiser, gloves, etc.) and exposing them to the risk of infection.

Under these conditions, migrant workers were especially vulnerable. It is this precarious, delocalised and outsourced labour that sustains the platform economy.

It is this precarious, delocalised and outsourced labour that sustains the platform economy.

Studies show that a large proportion of app-based delivery workers in Latin America are migrants unable to access more formal means of income (ECLAC/ILO, 2019). A 2019 study indicated that young male migrant workers make up a significant portion of the delivery sector in Argentina. Without emergency medical care and social protections in the host country, and unable to return to their home countries, migrant workers find themselves in a double confinement (ECLAC/ILO, 2020). Besides, the migrant population also been hit the hardest by the rise of unemployment in Argentina in the aftermath of the pandemic, particularly among young people.

In mid-July 2020, during the eight-month lockdown in Argentina's capital Buenos Aires, the local government adopted legislation that placed app-based platform companies at an advantage and plunged delivery workers into greater precariousness. The legislation modified the Code of Traffic and Transport by doing away with the interdependency between employers and workers and relieving platform companies of their employer obligations and undermining workers' rights.

This is just one instance of the many ways in which the pandemic has further deepened the vulnerabilities workers faced in an already unregulated landscape. It has demonstrated, once again, that it is always capital that ends up being prioritised. Across the world, the demand for rights that guarantee even minimum protections to workers have been thwarted by powerful business lobbyists and political forces in local and national governments.

But the lack or loss of rights cannot be allowed to become the new normal. The situation calls for urgent rethinking of how to continue and double down on the fight for labour rights in the post-pandemic context. What strategies do we adopt in the face of lockdown opportunism? How do we articulate an agenda that combines migrant rights, women rights with the agenda for labour and digital rights?

While the pandemic has exacerbated worker vulnerability, it has also offered an opportunity for social pedagogy that responds to these questions. Seen this way, the current crisis can be a starting point for long-term transformations that are committed to the sustainability of life. It is imperative that we seize this moment to put forth a new digital justice agenda that is attentive to labour rights.

References

Banga. K., (2020). 'Can the Digital Economy Help Mitigate the Economic Losses from COVID-19 in Kenya?', *ODI*, viewed 24 January 2022. [pdf]

ECLAC/ILO., (2019). 'Employment Situation in Latin America and the Caribbean: Evolution of and Prospects for Women's Labour Participation in Latin America', No. 21 (LC/TS.2019/66), Santiago.

ECLAC/ILO., (2020). 'Employment Situation in Latin America and the Caribbean. Work in Times of Pandemic: The Challenges of the Coronavirus Disease (COVID-19)', No. 22 (LC/TS.2020/46), Santiago.

Gurumurthy. A., and Chami. N., (2020). 'A 3-Point Agenda for Platform Workers; as if the South Matters', *Bot Populi*, viewed 24 January 2022. [online]

Partenio. F., Cordero. K. H., and Castro. B. V., (2020). 'Pandemic Meets Precarity: The Case of Platform Delivery Work in Latin America', *Bot Populi,* viewed 24 January 2022. [online]

Flora Partenio

Florencia Partenio (Flora) is from Argentina. She is an alumna of DAWN's Gender, Economic and Ecological Justice (GEEJ) training which took place in 2011 & 2013 in Latin America. Flora has a PhD in Social Sciences from the University of Buenos Aires, she is part of the feminist movement in Argentina and her working areas include labour studies, industrial relations, labour rights, and worker movements. She works on alternatives to development from the perspective of the economy of care, ecology and social economy and solidarity. Flora is part of DAWN's Social Mobilising team and coordinates **DAWN's School of Feminist Economics** with Corina Rodríguez Enríquez.

THE 4TH INDUSTRIAL REVOLUTION IN FIJI

by Sala Weleilakeba

While computers were the main means to access the internet in the 1990s and early 2000s, it is the introduction and subsequent ubiquity of the smartphone, with its convenience and portability, that propelled the internet boom in Fiji over the past decade (Wilmer, Sherman and Chein, 2017). This article tracks the evolution of technology and digitalisation in Fiji, discusses how information and communication technologies (ICTs) have galvanised the fourth industrial revolution in the country, and examines the impact on women.

Evolution of technology and digitalisation in Fiji

In the early 2000s, Fiji had only 23,000 internet users, comprising 2.8 per cent of the population at the time. In the past two decades, that figure has jumped to over 634,000 users, or 70.5 per cent of the population (Kemp, 2021). As in many other developing countries, the barriers to a further expansion in internet penetration include the lack of infrastructure (electricity, personal computer, telephone line) and affordability. Despite these setbacks, the Pacific Islands are experiencing a digital transformation that could have major implications for the way people learn, communicate, engage in political debate, coordinate activities and access services.

ICTs galvanise the 4th revolution in Fiji (and the region)

A major factor driving the digital transformation in Fiji is the deregulation and reform of the telecommunications sector, making phone ownership both affordable and accessible, and fuelling a boom in mobile phone usage (Cave, 2012). Before it ended its telecommunications monopoly, Fiji had some of the highest mobile prices in the world (Minges and Gray, 2004). Since then, the number of mobile connections has increased to

1.25 million as of January 2021, double the population of the country (Kemp, 2021). As in other parts of the world, the youth of the region are the fastest adopters of new digital technologies, sustaining and accelerating Fiji's ICT revolution. For an increasing number of Pacific Islanders, mobile phones are a means to overcome demographic, geographic and economic challenges. Geographic remoteness, for instance, is alleviated when e-services and e-applications can be used to connect with health services, transfer money, access learning materials and organise events, all through a basic mobile handset (Cave, 2012).

Another major use of digital technology has been in so-called 'mobile money'. The Fijian market is relatively developed with major mobile phone providers such as Vodafone and Digicel, and banking institutions such as ANZ, BSP, Westpac, etc. offering mobile banking options. In fact, Fiji was one of the first countries in the region to launch mobile money services. With the prominence of cloud storage services, this has extended to data saving and online applications as well.

For an increasing number of Pacific Islanders, mobile phones are a means to overcome demographic, geographic and economic challenges.

Mobile use fuels the rise of social media

The influx of mobile phone penetration in Fiji and the Pacific Islands as a whole coincided with the global rise of social media and helped fuel the uptake of these platforms in the region. With over 610,000 users as of January 2021, Facebook represents a major chunk of Fiji's internet usage. Between 2020 and 2021 alone, the social media company added 50,000 users (Kemp, 2021). This is a sizeable increase compared to even five years ago. In 1997, for instance, only 0.22 per cent of Fijians had access to Facebook (Chanel and Whippy, 2019). Most Fijians who access the internet through their mobile phones, use it to go on social media platforms which allow them to connect with one another, form online networks, share content, project opinions, promote debate and coordinate activities in ways that were unimaginable only a few years ago (Cave, 2012). This has resulted in the emergence of a Pacific 'digital generation' of activists, thinkers, informers and influencers. Among the most significant impacts of Fiji's ICT revolution is the increased ability of

citizens to build and participate in online networks dedicated to demanding better governance (Couts, 2012). Facebook and Twitter have provided the Fijian people with easy and low-cost ways to engage in domestic, regional and international dialogues. Online blogs have become the preferred space for political activism since April 2009 when the Fijian government imposed media censorship and restrictions on freedom of speech and assembly. Even after the censorship of the media was officially lifted in January 2012, the penalties for breaches were left in place (Perrottet, 2012). The ICT revolution in Fiji thus allowed the expansion of 'digital democracy', that is, the use of digital technologies in political and governance processes as well as in civil society's demands for accountability and transparency. It is not only digital activists that are embracing social media. Pacific governments and multilateral institutions are also using these tools with varying degrees of success (GSMA, 2019).

Implications of digitisation on women

As of January 2021, Fiji had an estimated population of just under 900,000, of whom 49.4 per cent were women. While the digital revolution holds immense potential for improving social and economic outcomes for women, it also poses the risk of re-entrenching existing patterns of gender inequality. Firstly, a significant digital gender gap in the education sector has led to the encoding of gender biases in technology and

the promotion of masculine stereotypes within the science, technology, engineering and mathematics (STEM) fields (Makarova, Aeschlimann and Herzog, 2019). Women continue to be under-represented (and underpaid) in STEM as gender-based discrimination and biases reinforce cultural stereotypes about women and their ability to perform in these male-dominated fields (Kong et al., 2020). Secondly, due to the changing world of work, such as the increasing precarity of jobs, the under-representation of women in technological fields amplifies gender bias in artificial intelligence (AI) and machine learning systems (UNESCO, 2020). Algorithms in AI and machine learning systems can potentially reinforce and exacerbate gender stereotypes by using datasets that carry the inherent assumptions and biases of algorithm developers. AI can also negatively impact women's economic empowerment and labour market opportunities by leading to job automation. Studies conducted by the Institute of Women's Policy Research found that women bear a significantly higher risk of displacement due to job automation than men. Thirdly, platform publics reinforce unfreedoms. For example, revenge pornography is a growing concern in Fiji. Greater access to the internet makes it easier to upload and share private and/or intimate images and videos, and women and girls are disproportionately victimised by such online attacks (FWRM, 2018).

> **The gender technology gap negatively impacts Fiji's potential for economic growth and development.**

In conclusion, technology and the internet can be a great enabler for girls but a lack of opportunities, skills and a fear of discrimination prevent many from using and creating digital tools and online content. The gender technology gap negatively impacts Fiji's potential for economic growth and development. Taking internet usage data as a proxy, ITU estimates that the gender gap is more pronounced in developing countries, with 16 per cent fewer women than men using the internet, compared with 2 per cent in developed countries (E-Government for Women's Empowerment in Asia and the Pacific, 2018). To achieve gender equality, girls and women need equal access to technology, digital training and a safe internet. With over 90 per cent of jobs worldwide already having a digital component, governments must invest in equipping women and girls with digital skills by prioritising education in ICT subjects. Technology is also a great tool for female activists and has the potential to enable organised action towards common causes.

References

Cave. D., (2012). 'Digital Islands: How the Pacific ICT Revolution is Transforming the Region', *Lowy Institute*, 21 November. [online]

Chanel. A., and Whippy. D., (2019). 'The Internet and Fiji's Future', *Fiji Sun*, 18 July, pp. 66. [pdf]

Couts. G., (2012). 'Tech Savvy Youth Sought for Pacific Tech Camp', *ABC Radio Australia*, 15 November. [online]

E-Government for women's Empowerment in Asia and the Pacific, (2018). 'Gender Equality and Women's Empowerment Priorities in Fiji'. [online]

FWRM, (2018). 'The Right to Privacy in the Digital Age'. [pdf]

Elon University, (n.d). 'Imaging the Internet', viewed 30 October 2021. [online]

Groupe Speciale Mobile Association, (2019). 'The Mobile Economy: Pacific Islands 2019'. [pdf]

Kemp. S., (2021). 'Digital 2021: Fiji', *DataReportal*, viewed 11 February 2021. [online]

Makarova. E., Aeschlimann. B., and Herzog. W., (2019). 'The Gender Gap in STEM Fields: The Impact of Gender Stereotype on Math and Science on Secondary Students' Career Aspirations', *Frontiers in Education*. Vol 4, No. 60. [online]

Minges. M., and Gray. V., (2004). 'Bula Internet: Fiji ICT Case Study', *The Telecommunications Union*. [pdf]

Perrottet. A., (2012). 'Fiji: Self-censorship Claims and Denials Fuel Media Debate', *Pacific Media Watch*, viewed 12 September 2021. [online]

UNESCO – Division for Gender Equality. (2020). 'Artificial Intelligence and Gender Equality: Key Findings of UNESCO's Global Dialogue', UNESCO. [pdf]

Wajcman. J., Young. E., and Fitzmaurice. A., (2020). 'Discussion Paper: The Digital Revolution: Implications for Gender Equality and Women's Rights 25 Years After Beijing', *UN Women*, viewed 07 December 2021. [pdf]

Wilmer. H. H., Sherman. L. E., and Chein. J. M., (2017). 'Smartphones and Cognition: A Review of Research Exploring the Links between Mobile Technology Habits and Cognitive Functioning', *Frontiers in Psychology*, Vol. 8, No. 605. [online]

Sala Weleilakeba

Salanieta Weleilakeba (Sala) is DAWN's Research Officer based in Fiji and has been with DAWN since 2020. She has a degree in Politics & International Relations, and Anthropology from James Cook University. She has a background in politics, communications and legal work with over 5 years' experience in these fields.
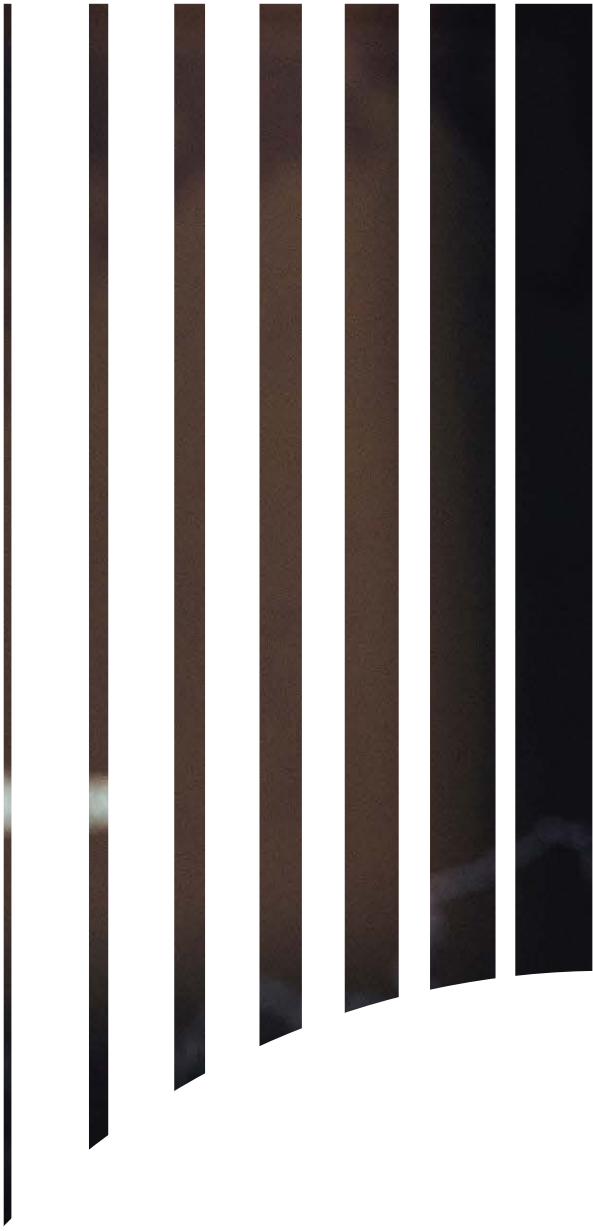
# DIGITAL GOVERNMENTALITY IN FIJI DURING COVID-19

by Damien Gock

A ccording to Michel Foucault, biopower involves the exertion of power particularly to control populations "through various techniques as diverse as censuses, ballots, hydrography and insurance policies" (Kelly, 2010, p. 4). This article briefly examines the increasing articulation of biopower over mobility and access to social services and digitisation efforts in Fiji during the COVID-19 pandemic. It uses DAWN's Policy Transformations analytical framework (Llavneras Blanco and Cuervo, 2021) to situate this articulation of biopower in the political processes and policy responses that emerged in the wake of the pandemic with clear implications for the body, that is, where and how bodies belong, whether they are included or excluded, or if they are deemed essential, etc. From an intersectional feminist lens, the framework seeks to examine policy changes during the pandemic in four broad but interconnected policy areas[1] that are linked to critical issues such as the growing prominence of the digital sphere in power relations that is affecting, among other things, access to social services, education and employment (ibid.). Thus, this article explores digitisation as a form of biopower that needs further investigation, especially in the context of multiple and overlapping crises wrought by the pandemic.

According to Chawala and Joshi (2021), digital ecosystems that use citizens' data, are created in an effort to "facilitate [the] processes of urban governance and economic production". The authors pertinently point out the lessons learnt from the failure of larger countries to digitise data to inform their policies without instituting transparent and participatory governance mechanisms (ibid.).

In its Draft National Budget 2021-2022, the Fijian government includes a digitisation programme which "establishes the harmonization of data" across different government services (Government of Fiji, 2021a). According to the Draft Budget, the Covid vaccination registry system and mobile applications[2] which trace people's movements can be used to "dramatically increase the accessibility of Government services" (ibid., p. 69)[3]. This
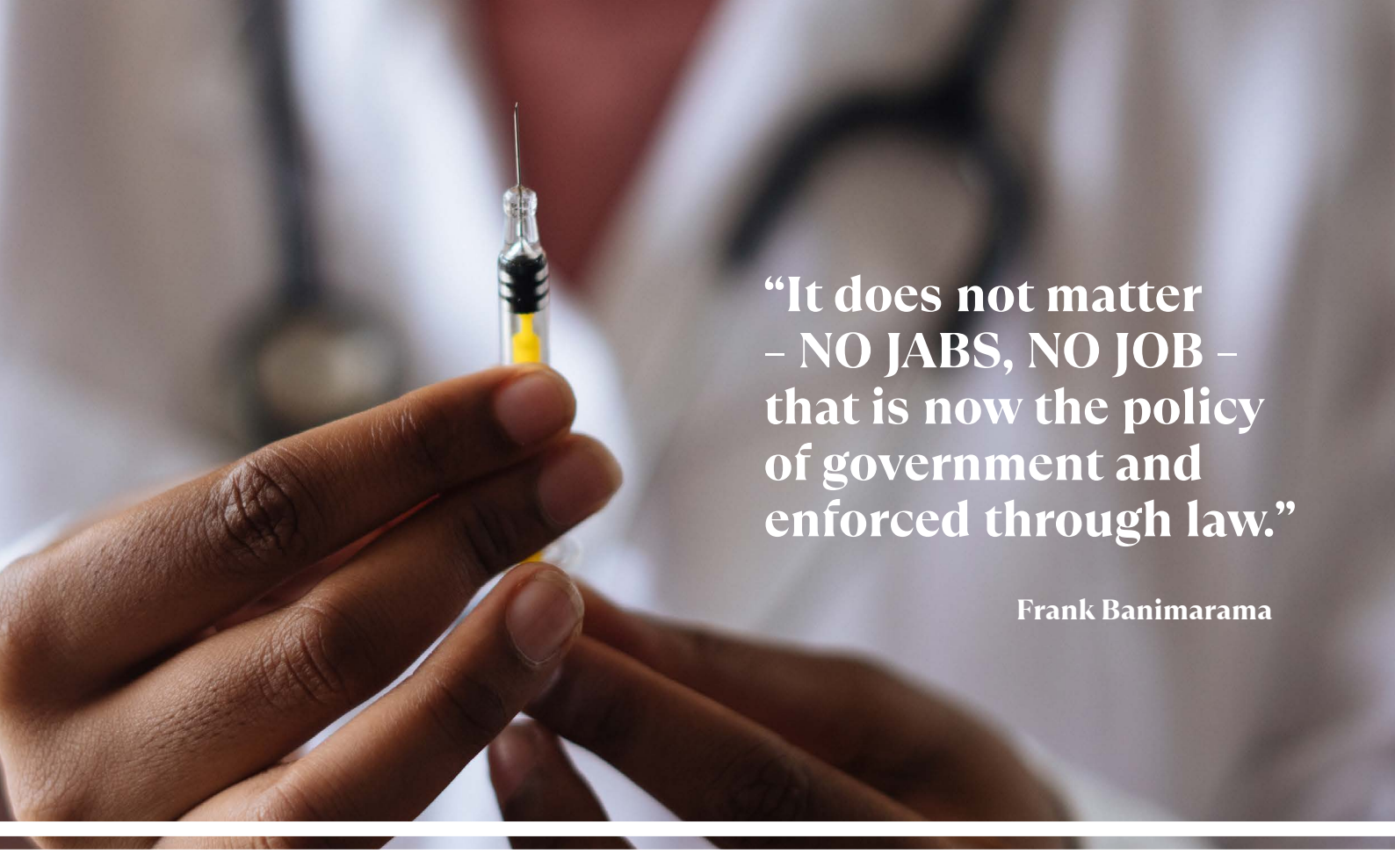
> "It does not matter – NO JABS, NO JOB – that is now the policy of government and enforced through law."
>
> **Frank Banimarama**

centralised database would have people's information such as birth certificates, passport numbers, tax identification numbers and national provident fund numbers, among others, but will, ironically, exclude essential statistical data which covers the intersections of ethnicity, race and religious identities, which are not permitted to be collected. [4] [5]

Fiji's digital infrastructure capacity to build a centralised national identification database – which now includes vaccination status – is questionable. A United Nations Capital Development Fund diagnostic report stated that, in its quest to develop a national digital identity platform, Fiji faces major challenges in the form of information overlaps, duplication and discrepancies as well as outdated information on people's particulars (UNCDF, 2021). Currently there is no integration of third-party verification of identity either (ibid.). The report also states that only 29 per cent of people have access to an official ID, while 34 per cent of Fijians do not even have access to the internet (ibid.). Against this backdrop, the ramifications of an inadequately centralised national identification database could include major gaps in national data, which, in turn, could have implications for policy decisions and directions.

According to analysts, Fiji's 2022 budget projections included a significantly high spending on social protection initiatives, as anticipated, with FJD 200 million (approximately

USD 95.2 million) being allocated as support for unemployed workers in the formal and informal sectors (Goundar, 2021). However, vaccination has increasingly become a prerequisite for accessing cash transfers and other forms of social welfare and for continued or new employment. Akin to Australia's 2015 'no jab, no pay' legislation that sought to increase household vaccination rates by linking it with social welfare benefits (Yang and Studdert, 2017), Fiji amended its Health and Safety at Work Regulations, 1996 by making vaccination compulsory for entering all workplaces. This was followed by a dedicated drive to vaccinate more than 90 per cent of the target population of 18 years and above. The Fijian Prime Minister Frank Banimarama announced, "It does not matter – NO JABS, NO JOB – that is now the policy of government and enforced through law."[6] In other measures, the government has made vaccinations a prerequisite for accessing cash transfers (unemployment assistance) worth FJD 360 (approximately USD 170) or more (Government of Fiji, 2021b). In a similar vein, Fiji's National Provident Fund made member withdrawals of their own money contingent on receiving "at least the first dose – by 7 August 2021".[7]

Whilst mandatory vaccinations are not a new phenomenon[8] and some may argue that these measures are needed to control the spread of COVID-19, bodies are increasingly being regulated in new and diverse ways in the aftermath of the pandemic. Horton (2020) aptly writes that the governmentality of health, during this pandemic, demanded increased political control, using "different power apparatuses… to take charge of bodies" (ibid., p. 1383). Governments see the health of citizens as the basis for safeguarding economic health, he adds (Horton, 2020).

Herein lies the nexus between biopower – in mandating vaccinations to access jobs and social benefits – and digitisation. Fiji's (lack of) preparedness and capacity for a national digital identity platform is only part of the problem. More crucially, there is no apparent and clearly developed regulatory framework which takes into account human rights frameworks in relation to privacy, individual freedoms, non-discrimination and accessibility to existing services. And finally, there is a complete absence of public consultations and collaborations on digitisation.

References

Chawala. A.S., and Joshi. D., (2021). 'Smart Cities in India: Of Data Governance and Democratic Deficits', *BotPopuli*, viewed 19 November. [online]

Goundar. N., (2021). 'Fiji's New Budget: Significant Fiscal Challenges'. [online]

Government of Fiji., (2021a). 'Republic of Fiji: Budget of Estimates 2021-2022, as presented to parliament on 16 July 2021. [pdf]

Government of Fiji., (2021b). Applications for Government-Funded Unemployment Assistance, open from 9 August 2021. Media Release published on 3 August. [pdf]

Munro Leys Law., (2021) 'Health and Safety at Work (General Workplace Conditions) (Amendment) Regulations 2021'. [pdf]

Horton, R., (2020). Offline: COVID-19 — A Crisis of Power. Comment, *The Lancet*, vol 396, 31 October.

Kelly, M.G.E., (2010). 'International Biopolitics: Foucault, Globalisation and Imperialism.' *In Theoria: A Journal of Social and Political Theory*, vol. 57, no. 123 (June 2010), pp. [online]

Llavaneras Blanco, M., and Cuervo, M. G., (2021). 'The Pandemic as a Portal: Policy Transformations Disputing the New Normal'. *DAWN*. Suva (Fiji). [pdf]

The Economist, (2021). 'Where Will You Need a Covid Passport?'. [online]

Nailatikau, M. (2021). 'The promise and peril of statistics in Fiji', in 'The Interpreter', published by the *Lowy Institute*, 27 October, 2021. [online]

United Nations Capital Development Fund (UNCDF), (2021). 'An Inclusive Digital Identity Platform in Fiji: Country Diagnostic', January 2021. [pdf]

Yang, Y.T., and Studdert, D.M., (2017). Linking immunization status and eligibility for welfare and benefits payments. The Australian "No Jab, No Pay" Legislation. Opinion Piece, *JAMA*, Vol 317 (8), pp. 803-804. [pdf]

Endnotes

1- Macroeconomics, Labour and Workers' Rights, Migration and Human Mobilities, and Care and Social Protection

2- Such as the careFIJI app

3- See also here

4- This recently culminated in the dismissal of the chief executive officer of the bureau who released a household and income expenditure survey that included a breakdown of poverty data by ethnicity and religion (Nailatikau, 2021).

5- See full HIES Report here

6- See: PM Bainimarama's Statement on COVID-19 on 8 July 2021. [online]

7- Media release and criteria can be found here

8- The World Health Organization (WHO) first issued its International Certificate of Vaccination or the commonly known yellow card in 1951 (The Economist, 2021).

Damien Gock

Damien Gock is DAWN's Programs Associate based in Fiji. In late 2017, he started a research internship with DAWN and was taken on as DAWN's Junior Research Officer in 2018. He has worked previously at the Citizen's Constitutional Forum and at the University of the South Pacific. He has an M.A. by research in Sociology from the University of the South Pacific and is currently pursuing a PhD at Western Sydney University.

CAN DIGITAL JUSTICE MEET SOCIAL JUSTICE? Lessons from Kerala During the Pandemic

by Vanita Nayak Mukherjee

The southern Indian state of Kerala, with a long history of delivering on social justice, stands in contrast to much of the rest of India, having implemented a set of robust social protection measures during the COVID-19 pandemic and the ensuing lockdowns. As the pandemic worsened, Kerala also progressively digitalised some of its public services. This paper explores digital justice in Kerala and its overlaps with social justice, with a special focus on online education.

Social and digital justice: The connections

Embracing principles of equality, access, participation, human rights and diversity as a normative guide, this paper takes an approach to social justice that acknowledges inequalities within societies, and the systemic and structural obstacles that perpetuate them. Digital justice is based on the same principles, but with additional distinct dimensions arising from the unique characteristics of the internet and the digital world.

First, digital technology is a Janus-faced entity. It can be empowering in terms of advancing one's life opportunities and opening up new ways of engaging with the world. But as a tool of surveillance, violence and oppression, it can also be disempowering. Second, unlike public goods such as water, electricity and roads where common infrastructure and points of distribution translate into access for all members of a household, access to the internet is 'atomised', routed as it is through individually owned/ used smart gadgets such as phones and laptops. Third, even where smart gadgets are shared within households, access and use are unequal, with gender power and hierarchies producing digital deprivations. More men/boys own smartphones (and laptops) compared to women and girls[1]. The age hierarchy, however, gets reversed as younger, mostly men, access gadgets than the older generation[2]. Being tech-savvy and having digital literacy

gives the youth an edge, but the same skills do not always translate into access for girls[3]. Fourth, despite the decentralised nature of the internet, there remains a huge gap in access between the privileged and non-privileged, the rural and urban population, and others. Like social justice, digital justice acknowledges substantive equality, where access and opportunities to knowledge, power and resources are available to different social groups only as mediated through their socio-economic, political and cultural locations[4].

Social and digital justice in Kerala during the pandemic[5]

Social justice initiatives in Kerala include effective health and education policies and a bulwark of strong decentralised local self-governance institutions known as the panchayats. Though by no means perfect, the panchayats in Kerala have a robust record of deepening democracy, maturing into a strong scaffolding for governance after a series of interventions in capacity-building and technical support by the state[6]. A network of 4.5 million women-led strong neighbourhood groups, called *kudumbasree*[7], enable and support the *panchayats*.

During the pandemic, Kerala took the digital route to provide public services, including emergency care (and telemedicine) for senior citizens, especially single women.

Digital services, investments and infrastructure

During the pandemic, Kerala took the digital route to provide public services, including emergency care (and telemedicine) for senior citizens, especially single women. A disability-friendly online portal, accessible through smartphones and laptops, provides general medicine and specialist health care services free of charge[8][9]. Public school education is 100 per cent digital. Recognising internet as a basic right of citizens and treating skill-building,

digital literacy and the strengthening of human resources as a priority[10], Kerala has made significant investments in IT infrastructure[11][12] and related supportive institutions.[13][14][15]

At 56 per cent, Kerala has the second highest penetration of broadband internet in India after the national capital Delhi at 69 percent.[16] The proportion of women with access to mobile phone is the highest in rural areas of Kerala (about 92.4 percent), and second highest in urban areas (91.8 per cent). For India as a whole, women's access to mobile phones was 47·8% overall, with women's access reported to be 41·6% in rural areas and 62·7% in urban.

Digital initiatives in public schools to virtual education at home during the pandemic Kerala's state-supported schools, have achieved gender parity in higher secondary enrolment with 51.8 per cent girls enrolled vs 48.2 per cent boys.[17] A transformation to 100 per cent digital education and smart classes is also complete in these schools.[18][19]

During the pandemic, the First Bell programme, launched to democratise the transition from digital school education in the classrooms to online home lessons, used a mixed-media strategy. Harnessing students' high access to television (94 per cent) at home through satellite technology, lessons were streamed for universal access and supplemented with repeat classes on Facebook, YouTube and WhatsApp. However, availability of online classes did not automatically translate into universal access. Surveys revealed that 260,000 (6 per cent) students in Kerala from disadvantaged households and those living in remote areas did not have access to a television, laptop or a smartphone, or the necessary infrastructure to operate them.[20]

A resource mobilisation drive spearheaded by the panchayats in their respective areas to enable access to the First Bell classes, resulted in generous contributions of smartphones and television sets from the community. Online classes in neighbourhoods were organised

for small groups. WhatsApp groups steered by teachers helped with learning challenges on assignments.

There are approximately 12,500 students with disabilities in the public school system, and 90,902 students belong to Kerala's indigenous communities who are concentrated in the remote pockets. Online education at home for students with the six identified disability types calls for lessons to be tailored for content and pedagogy to meet the specific needs of each type and prepared for each grade and subject. For students from the indigenous communities, considerable effort has gone into improving access through community centres, with televisions or laptops set up by the panchayats, adapting pedagogy and surmounting language barriers.

Conclusion

Digital justice in Kerala is built on a long legacy of the state's commitment to social justice. Sustained investments in health and education has yielded unanticipated and positive results during the pandemic. A 100 percent digitalisation of public education has enabled the state to be prepared and leverage tools, technology and television to achieve a near-universal coverage of online education, including for students with disabilities and from the indigenous communities.

The deep roots of decentralisation of governance in more than 1,000 panchayats is a second critical element of Kerala's success. The panchayats have developed key strategies for institutionalising substantive equality towards universal inclusion. Assessing the specific needs of households, especially those on the margins, has enabled customised interventions and outreach for fair and equal access to all — the key to digital justice.

Endnotes

1- https://www.youthkiawaaz.com/2019/10/the-modern-discrimination/; Understanding barriers to and impacts of women's mobile phone adoption in India' by Giorgia Barboni et al., 2018, Harvard Kennedy School study; https://www.indiaspend.com/wide-gender-gap-in-mobile-phone-access-is-hurting-indias-women/;

2- https://www.statista.com/statistics/751005/india-share-of-internet-users-by-age-group/;

3- Kovacs, A., "Chupke, Chupke':Going Behind the Mobile Phone Bans in North India, 2017, https://genderingsurveillance.internetdemocracy.in/phone_ban/; In some communities of North India, elders and men have banned mobile phones for girls, to prevent their access to a digitally facilitated world outside of strict patriarchal controls

4- Unlike 'formal equality' that assumes that the state ensures equality through laws, policies and programs with equal impact for all citizens regardless of their location, condition or position.

5- A longer version of this paper appears on www.dawnfeminist.org

6- KILA – the Kerala Institute for Local Administration provides institutional support to Panchayats through rigorous capacity-building on leadership, gender issues in governance and so on.

7- The Kudumbasree women play a critical role in the Panchayats doing all the leg-work with front-line workers - the ASHAs, Anganwadi teachers and helpers. During crises they take on multiple responsibilities beyond their job-description. Mask, PPE production and food-preparation of 300,000 meals/day in the 1243 community kitchens was managed by Kudumbasree.

8- See first link on how the E-Sanjeevani app works for visually impaired people in Kerala. [online]

9- There are 7 million seniors above age 65 in Kerala. Services for those living alone are provided at their doorsteps with weekly visits by health-care workers and counsellors and a regular stock of groceries, medicines and essentials. [online]

10- The policy vision on digital empowerment of citizens emphasises principles of 'Freedom, Ubiquity (read Universal), Inclusion, Transparency, and Safety and Security for all'.

11- The Akshaya Kerala mission on e-Governance and digital literacy, was the world's largest rural wireless broadband network, in 2002, to synergise digital and social inclusion. It was replicated at scale in the rest of the country as the CSCs – Common Service Centres.

12- Both the 1998 and 2017 IT policy are initiatives of the Left Democratic Front coalition government. [pdf]

13- KSITIL is a public limited company. https://ksitil.kerala.gov.in/telecom_infrastructure; For a detailed plan of digital infrastructure and other related IT initiatives See "Digital Kerala" Report by the Kerala State IT Mission, 2016

14- https://www.fonearena.com/blog/297415/kerala-government-kfon-project-fiber-connection-december-2020.html; K-Fon is a joint venture between Kerala State Electricity Board and the Bharat Electronics Limited (BEL);

15- https://kiifb.org/actvtis.jsp?vdl; KIIFB established a INR 50 billion Guaranteed Medium Term Note (MTN) programme that is dual listed on the International Securities Market of the London and Singapore Stock Exchange. This enables KIIFB to access the international bond market through the issuance of 'Masala Bonds".

16- https://www.onmanorama.com/business/news/2020/05/14/intenet-penetration-in-india-iamai-report.html;

17- Source: Directorate of Higher Secondary Education, 2017-18 as reported in Kerala Economic Review, 2017. The total school enrolment of girls is approx. 49 percent. They outnumber boys in the higher secondary stage indicating dropout rates of boys is higher compared at this level.

18- https://kerala.gov.in/it-school; Kerala IT Policy, 2017

19- Digital Education initiative is a part of the 'Public Education Rejuvenation Mission' of the 2016 "Nava Keralam" or 'New Kerala' Mission.

20- A tribal girl committed suicide as the TV in her home was not working. Ironically, she was one of the students listed by her teachers for assistance to access the First Bell online classes.

Vanita Nayak Mukherjee

Vanita Nayak Mukherjee from India is an Executive Committee Member and co-leads DAWN's Feminists for a People's Vaccine (FPV) Campaign and the Sexual and Reproductive Health and Rights (SRHR) thematic analysis team. Vanita has been a part of the feminist and social movements in Kerala, India since the early 1980s, and worked with feminist groups and networks in various capacities contributing to advocacy, capacity building and action-research. She holds a Master's degree in Gender Studies from the Institute of Social Studies, Erasmus University, Holland and a Bachelor's degree in Biology. Vanita was a Program Officer and later, a Senior Advisor on Gender at the Ford Foundation's India, Nepal and Sri Lanka office directing the Civil Society and Social Justice and the Gender, Racial and Ethnic Justice portfolios.

GOVERNANCE OF DATA AND ARTIFICIAL INTELLIGENCE

*by Cecelia Alemany
& Anita Gurumurthy*

The big data revolution and associated machine learning (ML) technologies that allow new modes of production in which digital intelligence is a factor, are ushering in a paradigm change. While data and artificial intelligence (AI)-related laws remain nascent in most countries concerns around the inherent biases in AI and consequences for fundamental rights, including the right to equality and non-discrimination, are being flagged by civil rights groups. Employees of big digital corporations are also raising their voices against the weaponisation of cyberspace by the state-corporate nexus. This article highlights concerns around the data revolution and suggests ways to rethink data and AI governance.

The digital context presents possibilities for a fourth industrial revolution, and digital intelligence obtained through processing of data can provide developing countries the wherewithal for structural transformation and competitive advantage. At the same time, data regulation must encompass concerns that tackle the multivalency of data, recognising the inalienability of data in relation to personal identity, but also remaining cognisant of data's enclosure as an economic resource. It is imperative to manage and regulate cross-border data flows with due attention to personal data protection through a wide array of national and global data policies: digital industrial policies, trade policies, social policies and development policies.

The data marketplace

Platform companies are among the most powerful transnational corporations, fuelled by algorithms (mathematical instructions that process data) that run on our data. What's more, transnational companies use our data as their data. It is near impossible for citizens to navigate the complex terrain of 'consent' which is often recommended as a solution in the data marketplace to make decisions about which data to share, with whom and for what. As late entrants into the data game, most developing countries lack robust, machine readable datasets. As a result, these countries may not yet be ready and well prepared to set up digital and data infrastructures, including public goods adequate to the new digital era.

Implications for developing countries

Not surprisingly, developing nations have become "the mining grounds for data, at worst, and the back offices or server farms for low-end data processing, at best" (Gurumurthy, Bharthur and Chami, 2018). Structural inequalities are being reproduced both between and within countries in the digital economy. As things stand, the Global South risks becoming an unregulated innovation playground for technology giants if adequate and comprehensive policy measures that can govern their operations are not developed (IT for Change, 2018). The challenges for developing countries include the "lack of coordination for innovation, lack of ability to mobilise domestic resources, inability to create linkages, low resilience of the domestic entrepreneurial sector, tax avoidance, and the failure to regulate competition" (Sampath, 2019).

AI and public policy decisions

Many public policy decisions that shape citizens' everyday experience are found not in legislative norms but in software codes and AI made by scientists and innovators in private (and monopolistic) settings (UN Secretary-General, 2018). All countries need to understand the impact of deep learning and intelligent prediction models in public policy design and response, in order to realise the potential benefits as well as to mitigate the risks of these intersections.

Democracy and human rights at risk

Data, AI and ML challenges are directly related with democracy and freedom of expression for various reasons. First, participation in social networks promotes binary thinking rather than nuanced interpretations. If social networks and their algorithms succeed in this kind of polarised business model, peace and democracy could lose ground. Second, data has increasingly become a gateway to our world, our money and our vote, and is today the basis of algorithmically-targeted marketing campaigns. Third, data and AI provide a new technique for potential state interference with democracy and privacy rights, freedom of expression and social mobilisation. Fourth, the role of platform companies in constitutional and human rights violations, including actions promoting violence against targeted people or communities based on their use of data or the use of the data they gather, process and sell, is not clearly understood or regulated. Last but not least, some of the algorithms and prediction models of platform companies violate national constitutional guarantees against discrimination. Assessing legal responsibilities of the biggest monopolies in the digital economy is an emerging area for national regulation and international human rights, but there is little movement, if at all, on this vital front.

Just and equitable development in the age of AI

Against this backdrop, the key governance question in the global digital economy concerns ownership of and control over data. Self-regulation of internet companies will not work. To regulate AI and the new digital era first and mainly through e-commerce trade agreements, be they plurilateral, multi-country or bilateral, will not work either. The Internet Governance Forum (IGF) as a multistakeholder space has the potential to advance in this arena, but is not making any rules. As such, there is an increasing risk that a small group of countries will make the rules on data from the vantage of trade deals.

If the international community remains a silent spectator as monopolies continue to own people's data and use AI without dismantling their abusive practices and unlearning their biases, existing structural asymmetries will be reproduced in the way data and AI are governed or ungoverned. What is needed, in this scenario, is an "an agile legal and policy framework to curb platform excess" (IT for Change, 2018) and the policy space for developing countries to obtain economic value from the data that their citizens are generating.

National imperatives

Many developing country governments (and other governments that were not among the first movers on AI) ignore the profound risks and technicalities of the expanded use of AI for almost everything. Globally, we need to update antitrust laws to take action against platform companies' market abuse faster and more effectively (Zimmerman, 2019). Countries need to update national regulatory frameworks on data, AI and ML, legislate against rights violations by transnational companies, and make clear the links between abuses of digital rights and existing constitutional rights. Moreover, data and AI governance implies international standards for states as duty-bearers, with intrinsically challenges their own use of data and AI for public policy design and vigilance. Thus, it is necessary to understand how to protect citizens from rights violations in the digital era and how to avoid the erosion of civic, political, economic, social and cultural rights due to hidden algorithms and ML technologies driven by private digital powers and decision makers.

The United Nations is the forum where AI must be understood and governed as a crucial condition for human rights, democracy, peace and sustainable development. However, this process must be led by governments, and not platform companies and their interests, so that regulations are not limited only to e-commerce or trade, as currently seems to be the case.

References

Gurumurthy. A., Bharthur. D. and Chami. N., (2018). 'Policies for the platform economy: Current trends and future directions', *IT for Change*. [pdf]

Fukuda-Parr. S., and McNeill. D., (2019). 'Knowledge and Politics in Setting and Measuring the SDGs: Introduction to Special Issue', *Global Policy*, Vol. 10. Supplement 1, pp. 5-15. [online]

IT for Change., (2018). 'Data Sovereignty', in Spotlight on Sustainable Development 2018: *Exploring New Policy Pathways*, pp. 81-82. [online]

James. D., (2019). *'South Needs Data Digitalization Policies, Say CSO Experts'*, Third World Network, 16 April. [online]

Sampath. P.G., (2019). *'Regulating the Digital Economy: Dilemmas, Trade Offs and Potential Options'*, South Centre Tax Initiative, March 2019. [pdf]

Smith. M., and Neupane. S., (2018). *'Artificial Intelligence and Human Development: Toward a Research Agenda'*, IDRC White Paper. [online]

UNCTAD., (2017). *'Information Economy Report 2017: Digitalisation, Trade and Development'*, UNCTAD Conference, 23 October. [pdf]

UN Secretary-General., (2018). *'Secretary General's Strategy on New Technologies'*, United Nations. [online]

Zimmerman. J., (2019). *'AI with European values. How Europe can find its own way when it comes to Artificial Intelligence, Data Protection and Democracy'*, IPS, 5 February. [online]

Cecilia Alemany

Cecilia Alemany is the Deputy Regional Director of UN Women for the Americas and the Caribbean. She is a former DAWN Executive Committee member. She is a PhD candidate in Economics at the Universidad Complutense de Madrid (UCM) and a PhD candidate in Interdisciplinary Studies on Gender at the Universidad de Islas Baleares (UIB). She has a Master's on International Forecasting from Paris V René Descartes and Bachelor's degree in International Relations from the University of the Republic, Uruguay.

Anita Gurumurthy

Anita Gurumurthy is a founding member and Executive Director of IT for Change, where she leads research on the platform economy, data and AI governance, democracy in the digital age, and feminist frameworks on digital justice. Anita actively engages in national and international advocacy on digital rights and contributes regularly to academic and media spaces. She serves as advisor and expert on various bodies including the United Nations Secretary-General's 10-Member Group in support of the Technology Facilitation Mechanism, the Paris Peace Forum's working group on algorithmic governance, Save the Children's ICT4D Brain Trust, and Minderoo Tech & Policy Lab's Board.

SUBVERTING ISRAELI SURVEILLANCE SYSTEMS: A NOTE ON PALESTINIAN RESISTANCE

by Kholoud Al-Ajarma
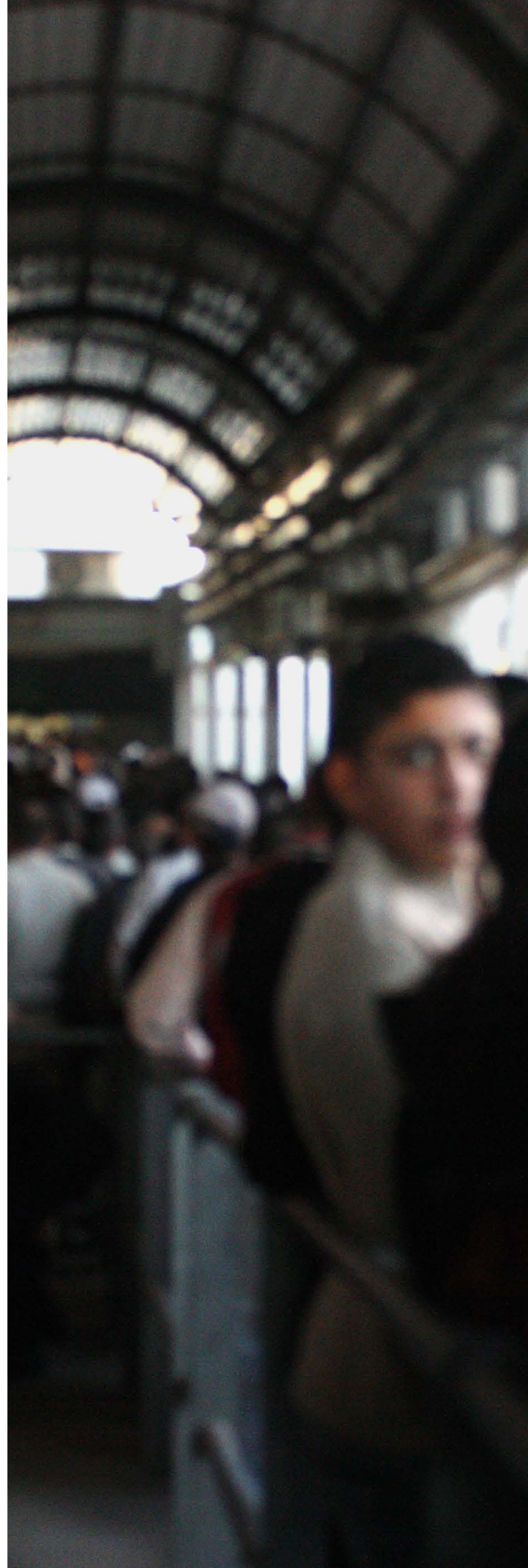
Checkpoints, biometric data collection systems, information and communication technologies (ICT), phone internet monitoring, and increasingly digitised policing are but some examples of Israel's colonial security infrastructure (cf. Zureik, 2011; Hammami, 2015). These technologies are being used to screen Palestinians, monitor their movements, inspect what they say and do, and restrict their mobility even in Palestinian areas (Peteet, 2017; Nashif and Fatafta, 2017). In this article, I discuss aspects of this colonial surveillance, including physical monitoring at checkpoints and digital surveillance on social media, by examining the experiences of a group of ten Palestinian women, between the ages of twenty-five and seventy-six, from Bethlehem and the surrounding areas. These narratives offer a gendered perspective on how women who live under constant surveillance resist the effects of such surveillance and cope with the daily oppression of patriarchal colonial strategies. They also exemplify what the wider Palestinian population routinely experiences under occupation.

In the West Bank, physical barriers such as checkpoints remain highly securitised bottlenecks that divide Palestinians and restrict their movements (cf. Griffiths and Repo, 2021; Peteet, 2017). Palestinians have to apply for permits to be able to cross checkpoints, a lengthy process that includes security screenings and background checks (Weitzberg, 2021). According to respondents, single women are always denied permits. In any case, being granted a permit does not spare Palestinians from extended periods of waiting, invasive interrogation and identity checks, and threats of violence at checkpoints (Griffiths and Repo, 2021). Much of the existing literature on Israeli checkpoint surveillance amplifies the voices of men whilst women's experiences remain marginal (e.g. Griffiths and Repo, 2021; Hammami, 2015). Respondents narrate several stories of how Israeli soldiers' practices of intimidation and humiliation make checkpoints threatening spaces (cf. Rijke and Minca, 2018: 39). Stories of women like Ibtissam Kaabneh, a 28-year-old woman who was shot dead at the Qalandiya checkpoint near Jerusalem on 12 June 2021, haunt respondents whenever they have to cross a checkpoint.

In some cases, cultural and religious traditions of modesty add to women's vulnerability when faced with the intrusions and harassment of young soldiers, male or female, who show no respect for gender relations, pregnancy, medical conditions or age. Despite these experiences, or perhaps because of them, respondents spoke of resistance strategies to hyper-surveillance. Women insist on braving all kinds of discomfort to visit Jerusalem for prayers. One instance is that of 75-year-old Aicha who has metal surgical implants in her

Photo | Anne Paq

A Palestinan woman confronts Israeli soldiers during the weekly demonstration against the Israeli Wall in the West Bank village of Al Ma'sara, July 4, 2008. The Israeli Wall would cut off the village from its agricultural lands if it is built as planned.

knee, but must pass through metal detectors every week, and is held up as she waits in line to show a surgeon's letter explaining her metal implant; no concessions are made at the checkpoint for her obvious discomfort and age.

The daily lives of Palestinians continue to be affected by Israeli security infrastructure which invades their social interactions, homes and communities (Griffiths and Repo, 2020). Respondents conveyed a sense of being watched, haunted and trapped by Israel's surveillance apparatus (cf. Shalhoub-Kevorkian, 2012). Such intrusion into Palestinian private life is enabled by Israel's occupation and control of the telecommunications infrastructure used by Palestinian companies and internet service providers. Several respondents expressed feelings of insecurity and fear of being targeted or arrested due to technological surveillance measures which violate their basic human rights. Respondents also shared stories of family members or friends who were arrested after simply expressing a political opinion in a Facebook post.

Paradoxically, Israel's surveillance of the internet and its technological advancements have also made visible, on an international level and with stunning rapidity, the everyday violence of Israeli forces and the daily coping strategies of Palestinians. This has, in turn, helped amplify the voices and underscore the daily struggles of Palestinians who use social media platforms as sites of 'e-resistance' (Shalhoub-kevorkian, 2012; Aouragh, 2008).

Respondents spoke of online resistance strategies such as sharing updates on Israeli army invasions, connecting with family members physically blocked from seeing each other, and attending lectures. They also spoke fondly of how young people, especially young women, in Jerusalem use social media to provide around-the-clock reporting to draw attention to the expulsion of Palestinians from Jerusalem's neighbourhood. Despite the ever-present pitfalls of social media, it, nonetheless provides a space for resisting colonial surveillance systems and power structures. As Muna al-Kura, 23-year-old Jerusalemite activist put it, "we cannot be silent about oppression... We live in a new era where Palestinians can make themselves heard, despite obstacles and attempts at silencing [us]."

References

Aouragh. M., (2008). *'Everyday Resistance on the Internet: The Palestinian Context'*, Journal of Arab and Muslim Media Research, 1, pp. 109-30.

Griffiths. M., and Repo. J., (2021). *'Women and checkpoints in Palestine'*, Security Dialogue, 52(3), pp. 249–265. [online]

Griffiths. M., and Repo. J., (2020). *'Women's lives beyond the checkpoint in Palestine'*. Antipode. Epub ahead of print 6 April 2020. [online]

Hammami. R., (2015). *'On (Not) Suffering at the Checkpoint: Palestinian Narrative Strategies of Surviving Israel's Carceral Geography'*, Borderlands 14(1), pp. 1–17.

Nashif. N., and Fatafta. M., (2017). *'Surveillance of Palestinians and the Fight for Digital Rights'*. Alshabaka: Palestinian policy network.

Peteet, J. (2017). *Space and Mobility in Palestine*. Bloomington: Indiana University Press.

Rijke. A., and Minca. C., (2018). *'Checkpoint 300: Precarious checkpoint geographies and rights/rites of passage in the occupied Palestinian Territories'*, Political Geography 65, pp. 35–45.

Shalhoub-kevorkian. N., (2012). *'e-Resistance and Technological In-security in Everyday Life: The Palestinian Case'*. The British Journal of Criminology, 52(1), pp. 55–72. [online]

Weitzberg. K., (2021). *'Biometrics and Counter-Terrorism: Case study of Israel/Palestine'*. Privacy International.

Zureik. E., (2011). *'Colonialism, Surveillance, and Population Control'*, in Zureik E, Lyon D and Abu-Laban Y (eds) Surveillance and Control in Israel/Palestine: Population, Territory and Power. London: Routledge, pp. 3–46.

Kholoud Al-Ajarma

Kholoud Al-Ajarma is Palestinian anthropologist and lecturer of the Globalised Muslim World at the University of Edinburgh. She holds a PhD in Anthropology and Comparative Study of Religion, Mphil in Anthropology of Development, and MA in Peace Studies and Conflict Resolution. Al-Ajarma has worked in the fields of refugee studies, gender, youth development, migration, human rights, and environmental justice in several countries in the Mediterranean region. Al-Ajarma is also an award-winning photographer and filmmaker with broad experience developing and leading arts and media projects among refugee communities in Palestine.

DATA SUBJECTS IN THE FEMTECH MATRIX:
A Feminist Political Economy Analysis of the Global Menstruapps Market

by Nandini Chami
& R. Vaishno Bharati

Menstruapps[1] constitute over 50 per cent of the burgeoning global femtech market that is estimated to be worth $60 billion by 2027[2]. Between 2020 and 2021, IT for Change carried out a research study to examine the implications of the global menstruapps market for the privacy and data sovereignty of app users, particularly those located in the Global South, from a feminist political economy standpoint. Through qualitative interviews with nine digital rights activists and two open source technology developers, and a legal review of the privacy policies of four popular menstruapps in the Global South — Clue, Flo, MyFLO and Period Tracker — this exploration took on two main questions:

> **(a) How do menstruapps in the femtech market address privacy (in collection, processing and third-party sharing of personal data)?**
> **(b) What do data practices of dominant menstruapps suggest about data sovereignty? What are the particular implications for users in the Global South?**

Our research demonstrated that the assimilation of gendered bodies into surveillance capitalism invades the intimate and violates foundational human rights. The privacy policies and practices of menstruapps tend to be vague, ineffectual, and akin to a contract between 'a lion and a sheep' as users are rendered powerless in the face of the immense biopower that menstruapps wield[3]. Representing a scenario of no-holds-barred data extractivism, the overly broad consent clauses of such apps lack purpose limitations of data use in third-party data sharing arrangements, as well as procedural guarantees for the data subject's rights to access, deletion and portability[4]. Despite the direct risk of undesirable outcomes arising from inappropriate advisories[5], the fine print of their terms of service reveals that popular menstruapps avoid any and all liability for the individual and collective harms stemming from relentless user profiling. The lack of accountability on the part of the app owners saddles users in the Global South with a double whammy. First, for the most part, governments in the Global South have not enacted legislation to protect users from the harmful impacts of behavioural data profiling by transnational digital corporations. Second, even if laws for personal data protection exist, the de facto flow of data away from the countries of the South into enclosures of Northern corporations undermine the justiciability of user rights in the event of abuse.

In the business model of menstruapps, aggregate, anonymised data about menstruating bodies is economically valuable precisely because it represents abstracted knowledge about specific, embodied experiences of sexuality and reproductive health. It would be a grave error to assume, however, that just because data has been stripped of personal identifiers and aggregated, it can be governed as a purely economic resource. On the contrary, data is always social and our embodied identities are always implicated in its collection, aggregation and processing[6].

Therefore, any attempt to recover data sovereignty in the femtech matrix can succeed only if such sovereignty is cast not only in terms of the individual rights of data subjects over the collection, sharing and potential uses of their personal data, but equally, as the protection of the social body-politic of data, representing our bodies, life worlds and socialities, from instrumentalisation for the extractivist logic of data capital accumulation.

Proceeding from this starting point, this research highlights some critical strategic directions for fashioning a new feminist approach to data sovereignty through further theoretical and policy work:

(1) Establishing the boundaries of data alienability to prevent surveillance capitalism from encroaching on our bodily autonomy. In the case of menstruapps, business models that profile sensitive and intimate information about sexuality and reproductive health for downstream market research should not be permitted to function. Sectoral legislation must be introduced to ensure that menstruapp providers are held accountable for their own data collection, third-party data sharing practices, and the accuracy of the information advisories they provide. Challenging corporate impunity of digital behemoths (in the menstruapps sector and beyond) for rights-violating business practices must be urgently embraced as an important feminist agenda.

(2) Evolving a data governance regime that not only upholds the right of individual data subjects over their personal data, but also leverages data as a social knowledge commons for public value and benefit. In the case of menstruapps, and more broadly femtech, this requires an assessment of the ways in which the social resource of aggregate, anonymised data about sexual and reproductive health needs and behaviour can be deployed to enable the community of users, and indeed non-users, to gain collective value and shared insight, with the guarantee of privacy, dignity and autonomy.

(3) Forging a new global constitutionalism for the governance of data, grounded in an indivisible, integrated vision of data rights that recognises people's sovereignty over their data resources as integral to their personal autonomy, along with the right to development. This is possible only through a complete overhaul of the global

intellectual property (IP) regime, making the switch from enclosure of data and artificial intelligence (AI) innovations to the development of data public goods as an infrastructural commons that cannot be co-opted by powerful Big Tech companies. ◖

[This piece summarises key insights from IT for Change's research study on the implications of the Global menstruapps marketplace for privacy and data sovereignty of app users, especially those in the Global South. For the full research report, see Chami. N., Bharati. R. V., Mittal. A., and Aggarwal. A., (2021). Data Subjects in the Femtech Matrix: A Feminist Political Economy Analysis of the Global Menstruapps Market. IT for Change.]

Endnotes

1- Mobile applications that track a user's reproductive cycle, sex life and menstrual health to provide algorithmically-derived insights about their body.

2- Stewart, C. (2021). 'Worldwide femtech market size 2027'. [online] [Accessed 01 December 2021]

3- Privacy International (2020b). 'We asked five menstruation apps for our data and here is what we found....'. [online] [Accessed 20 July 2021];

Felizi, N., and Varon, J. (2016). 'MENSTRUAPPS - How to turn your period into money (for others)'. [online] [Accessed 07 July 2021].

4- Findings also borne out by Shipp, L. And Blasco, J. (2020). 'How private is your period?: A systematic analysis of menstrual app privacy policies', Proceedings on Privacy Enhancing Technologies, 2020(4), pp. 491-510. doi: [online]

5- See Hunt, K. (2020). 'Fertility apps can be 'misleading' for women, review finds', CNN, April 07. [online] [Accessed 06 December 2021].

6- Gurumurthy, A., Chami, N. (2021). 'Beyond data bodies: New directions for a feminist theory of data sovereignty', Data Governance Network Working Paper 24. [pdf]

Nandini Chami

Nandini Chami is the Deputy Director at IT for Change. Her work largely focuses on research and policy advocacy in the domains of digital rights and development, and the political economy of women's rights in the information society. She is part of the organisation's advocacy efforts around the 2030 development agenda on issues of 'data for development' and digital technologies and gender justice.

R. Vaishno Bharati

R. Vaishno Bharati works as a Project Associate at IT for Change. Her work focuses on the programmatic aspects of the online magazine Bot Populi's feminist track. She also contributes to the research and advocacy of national and international projects undertaken by the organization and frequently writes for Bot Populi.

VACCINE PASSPORTS: A Sticky Wicket?
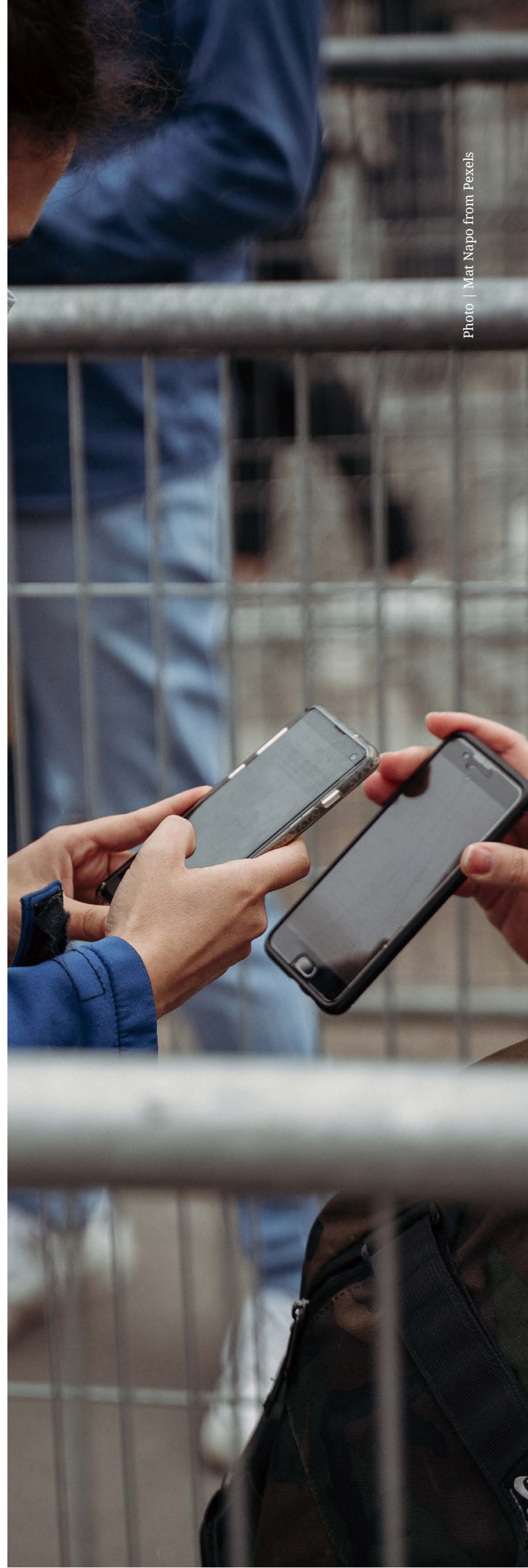
by Sai Jyothirmai Racherla

The World Health Organization (WHO), as of 10 December 2021, reported 267.86 million confirmed COVID-19 cases globally, including 5.28 million deaths. As of 8 December 2021, a total of 8.15 billion vaccine doses have been administered across the world (WHO COVID-19 Dashboard, 2021). A deeper interrogation of vaccination rates in the Global South and Global North countries, however, shows unequal access not just between but also within countries, undermining equity and going against the United Nations' sustainable development mantra of 'leave no one behind'. As new emerging variants such as Omicron, IHU, Deltacron and Flurona pose further challenges, universal access to COVID-19 vaccines, both the primary series and booster doses, along with other public health measures to contain the pandemic become more urgent than ever.

The COVID-19 Vaccines Global Access (or COVAX), co-led by the WHO and established to bridge the vaccine divide, has failed in its promise to equitably vaccinate the world. With only 5 per cent of the requisite vaccinations administered globally, COVAX has missed its target of 2 billion vaccination shots for 2021((The Bureau of Investigative Journalism,, 2021). This after the target was revised down to only 800 million doses due to supply shortages and logistical issues.

Against this backdrop of an unequal world where countries have widely varying epidemiological and vaccination coverage status, the requirement of vaccine passports for a gradual return to so-called normalcy presents yet another sticky wicket. Vaccine passports are certifications of vaccination that attest whether an individual has been vaccinated against COVID-19. Accessible electronically on mobile phone apps or as printed documents, they aim to reduce public health restrictions for their bearers, primarily easing restrictions for travel and, in recent times, day-to-day activities, including at the workplace.

According to an Ipsos global survey conducted for the World Economic Forum in 2021 across twenty-eight countries, three in every four respondents agreed that vaccine passports should be mandatory for travellers entering their borders. When questioned

about privacy concerns, however, only half of those surveyed were comfortable with governments being able to access their health information and only 40 per cent were agreeable to private companies accessing their health data and personal records (Ipsos Survey for The World Economic Forum, 2021). These and other considerations suggest that vaccine passports must be approached with caution and care considering inequity in access in the Global South.

Are we ready for vaccine passports yet?

With at least thirteen different vaccines being administered globally after seeking WHO Emergency Use Listing (EUL), only 41.5 per cent of the world's population have received at least one dose of the COVID-19 vaccine as of September 2021. For low-income countries (LICs), the corresponding figure stands at a mere 1.9 per cent. Vaccine distribution equity remains a persistent question in forecasts made as of December 2021, which put lower- and middle-income countries (LMIC) and LICs in the bottom rung of vaccine access. Structural barriers, such as weak healthcare systems, the inability to receive vaccines through ultra-cold chain systems, the lack of adequate storage and transportation capacities, limited capacity of vaccination sites, and Intellectual Property Rights (IPR) continue to hinder vaccine access in LMICs and LICs.

...vaccine passports must be approached with caution and care considering inequity in access in the Global South.

Photo | Mat Napo from Pexels

With such gross inequalities at play, vaccine passports exacerbate inequities even further by providing freedom of movement only to the privileged few who are able to get vaccinated, discriminating against those without vaccines. Needless to say, the burden of this restriction is disproportionately borne by people from already marginalised and vulnerable communities in the Global South countries.

Vaccine passports for those left behind?

Migrant workers are a case in point. Despite facing poor living conditions in most destination countries and being at a higher risk of infections, migrant workers have not been prioritised in vaccination efforts. Currently, countries such as Hong Kong, Taiwan, New Zealand, Australia, Malaysia and Thailand have a different set of plans or guidelines when it comes to vaccination of migrant workers, each with their own challenges and opportunities. In Hong Kong, for instance, information on vaccination of migrant workers is either unavailable or inaccessible while in Taiwan, vaccination schemes fail to prioritise undocumented migrant workers (Online Forum on COVID Vaccines and Inclusion of Migrants, 2021).

Women in particular continue to be left behind. In India, only 35 per cent of vaccines have been received by women (PRESS, 2021). Young people who are last in the vaccination queue, people with disabilities, and groups who are digitally excluded or have little access to technology face challenges in seeking vaccination and, therefore, vaccine passports.

Besides, countries in the Global North have preferential approvals for certain vaccines. This means having a WHO-approved vaccine is not enough; it needs to be the "chosen vaccine, administered in chosen places". The United Kingdom, the 27-member European Union and the 26-country Schengen Area accept only four vaccines approved by the European Medicines Agency: AstraZeneca, Pfizer-BioNTech, Moderna and Johnson & Johnson (New York Times, 2021). There have also been documented cases of vaccine passports being dependent on which country the person has been vaccinated in.

Vaccine passports, data privacy and protection?

Technically, data in vaccine passports should be used exclusively for vaccine verification purposes and not shared outside the purview of public health and safety considerations, especially without the consent of communities. But breaches of privacy assurances are

not unheard of. A case in point is the access of COVID-19 data by the Singapore police department earlier this year for purposes of criminal investigation, which is a violation of privacy rights (BBC News, 2021). With the digital vaccine passports technology involving many stakeholders, including private entities, data protection, privacy and confidentiality of personal data of individuals is at stake.

Until we achieve universal access to COVID-19 vaccination, the vaccine passport system should be applied with exceptions and flexibility as one of many inclusive provisions for easing travel and other mobility restrictions, keeping public health at the core of decision making. Interoperable, SMART, low technology, accessible, digital solutions-based vaccine passports can be developed once everyone has access to the vaccine. Until such time, the vaccine passport system, if implemented, must uphold the health, well-being, dignity, data privacy and confidentiality, freedom of mobility and association, and the defence of health rights for all, informed by evidence. ◗

References

Ipsos., (2021). *'Global Views on Personal Health Data and Vaccine Passports: Ipsos Survey for The World Economic Forum'*, April 2021. [pdf]

Yeginsu. C., (2021). *'As International Travel Returns, Confusion Over Vaccines Reigns'* 03 November 2021, viewed 26 October 2021, New York Times. [online]

Associated Press., (2021). *'Inequality: Women Globally Often Miss Out on COVID-19 Vaccines'*, Daily Sabah, viewed 26 October 2021. [online]

Furneaux. R., Goldhill. O., and Davies. M., (2021). *'How COVAX Failed on its Promise to to Vaccinate the World'*, The Bureau of Investigative Journalism, viewed 26 October 2022. [online]

Sai Jyothirmai Racherla

Sai Jyothirmai Racherla (Sai) is the Deputy Executive Director at the Asian Pacific Resource and Research Centre for Women (ARROW). She has been working in the area of women's health and rights, in particular sexual and reproductive health and rights, research, monitoring and advocacy the past 20 years. She co-wrote the ARROW ICPD regional monitoring reports for ICPD+10; +15;+20;+25. Sai has been actively engaged in the youth movement building for the SDGs in the region, and has been active as ARROW representative along with co-convenors in developing a space for young people discourse through the AFFSD Youth Forums, which are held every year ahead of the APFSD Intergovernmental Forum. Sai holds a Master's Degree in Food and Nutrition (MSc,) and an Advanced Diploma Degree in Population Studies, and Research Methodology

JOIN US ONLINE

Global Secretariat, JP Bayly Trust Building,
Level 2, 193 Rodwell Road, Suva, Fiji.

Please consider the environment: don't print this if you can avoid it.