

Addressing Gendered Online Violence against Women in Sri Lanka: A Critical Analysis of Online Safety Act No. 9 of 2024

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Sri Lankan parliament recently enacted Online Safety Act No. 9 of 2024 (OSA 2024) which purportedly aims to provide greater protection for Sri Lankan women against gendered online violence. From its inception, Online Safety Bill attracted severe criticisms due to its potential negative impact on freedom of expression. Despite public protests, the government maintained its stance, emphasising its promise to address challenges posed by online harm, with a particular focus on protecting women and children. Gendered online violence is a global issue that affects women across the globe and Sri Lanka is not an exception to this phenomenon. Women, including those with public profiles, are prone to different forms of online abuse and already existing threats against them have evolved embracing new online facets. Such transformed threats range from casual sexist comments to publishing revenge porn. These also include harassment, doxing, cyber mobbing, sharing of unsolicited nudes, and deep fake videos of women. In this context this paper offers to examine some selected provisions of part III of OSA 2024, relating to prohibition on online communication of false statements. The objective of this doctrinal research is to understand whether they adequately provide protection against gendered online violence against women in Sri Lanka. It suggests that OSA 2024 only addresses limited instances of gendered online violence and fails to adequately protect Sri Lankan women against various forms of such violence within its legal framework. Further, it does not proactively protect all women from gendered online violence due to its reactive and individualistic approach towards protection and promotion of online safety. Further, the Act fails to acknowledge the existence of gendered hate speech in the digital sphere and leaves out many common forms of gendered online hate speech which necessarily target women as a group of individuals with certain characteristics.

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