

Communication

Rights

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the dots

+plus Confianza y realidad

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The 2/2016 issue of *Media Development* will focus on “Islamophobia in the Media”.

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EDITORIAL

A quarter of a century ago, in an essay published in the journal *Religion and Society*, Michael Traber wrote:

“Communication, both public and private, is a fundamental human right and, as such, the precondition for other human rights, because communication is intimately bound up with what it means to be human. The freedom to speak and to publicize, and to create works of communication (cultural goods), is not only an essential component of human dignity and cultural identity, but it is also necessary for any progress in other rights.”¹

That statement followed a long-running debate in the 1970s and 1980s about a New World Information and Communication Order (NWICO), which in turn laid the groundwork for the [MacBride Report](#) (published by UNESCO), the [Cultural Environment Movement](#) (inspired by George Gerbner), the [People’s Communication Charter](#) (guided by Cees J. Hamelink), the Communication Rights in the Information Society (CRIS) Campaign (launched by the [Platform for Communication Rights](#), an umbrella group of international NGOs active in media and communication) and culminating in the ITU-led [World Summit on the Information Society](#) (Geneva 2003 and Tunis 2005).

What became known as the “right to communicate” or “communication rights” is now the subject of a considerable body of scholarly literature. Much of its history and evolution is explored in the book *The Right to Communicate*² and can be found on the WACC portal called [Centre for Communication Rights](#).

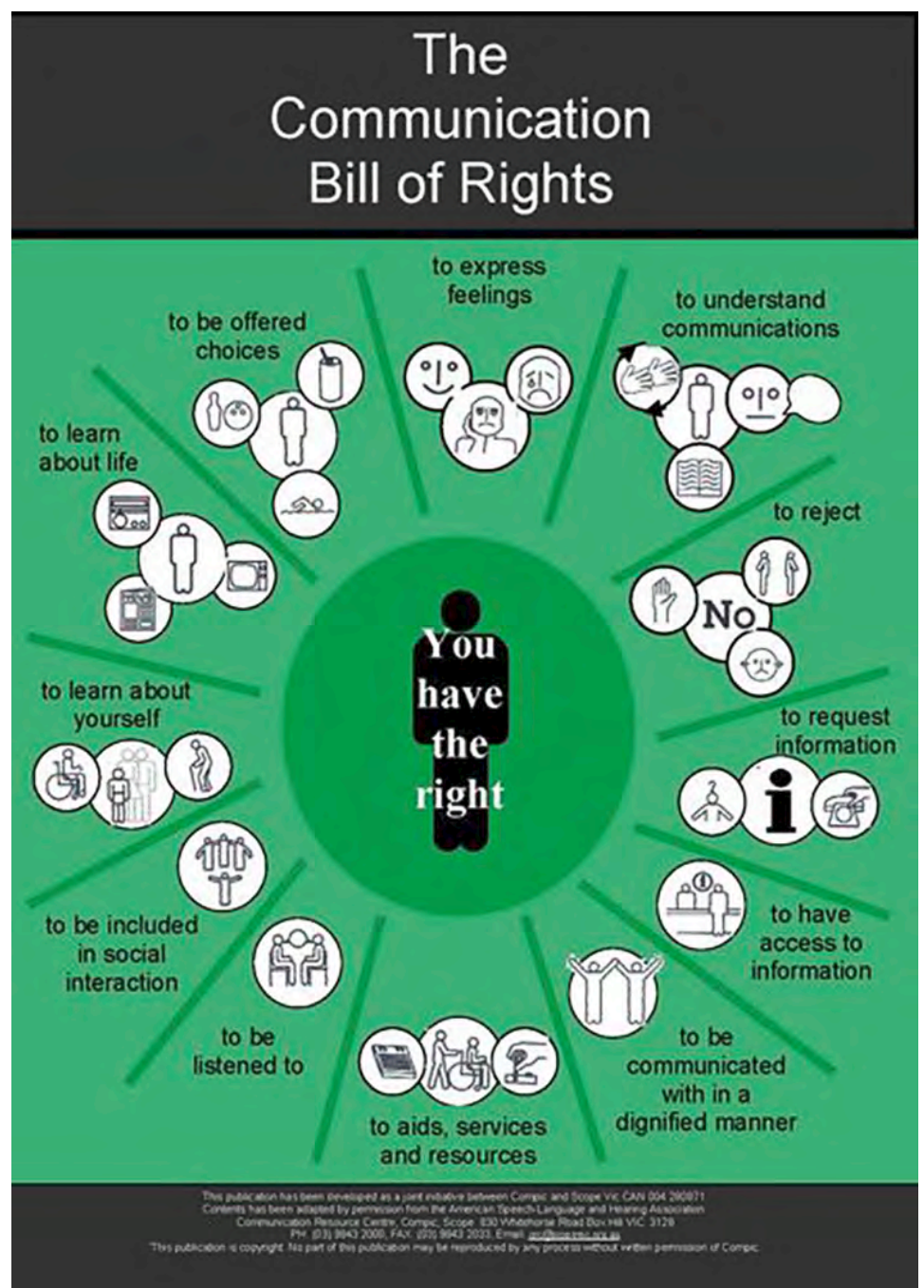
Taking a rights-based approach to communication means that it becomes a legal entitlement, rather than a commodity or service provided on a commercial or charitable basis. For example, to date freedom

of information laws have been implemented in over 95 countries in relation to the public sector, although most exclude the private sector from their jurisdiction. The right to information falls within the framework of communication rights

A rights-based approach also means that achieving basic and improved levels of access to communication should be a priority; that the “least served” should be better targeted and therefore inequalities reduced; that communities and vulnerable groups will be empowered to take part in decision-making processes; and that the means and mechanisms available in the UN human rights system will be used to monitor progress in realizing communication rights and in holding governments accountable.

Ten years after the World Summit on the Information Society in Tunis, the General

Poster campaign by the Autism Society NWT Canada (2014).



Assembly High-level Meeting to review the implementation of its outcomes took place 15-16 December 2015 at the United Nations Headquarters in New York. It was an opportunity for in-depth discussions around progress, gaps, and challenges, as well as areas for future action.

The UN General Assembly's [Overall Review of the Implementation of WSIS Outcomes](#), prepared in time for the meeting, recognized that "human rights have been central to the WSIS vision, and that ICTs have shown their potential to strengthen the exercise of human rights, enabling access to information, freedom of expression, and freedom of assembly and association" (47).

Without mentioning communication rights by name, the document also emphasized that "communication is a fundamental social process, a basic human need, and the foundation of all social organization, and is central to the Information Society. Everyone, everywhere should have the opportunity to participate, and no one should be excluded from the benefits the Information Society offers" (50).

The WSIS+10 Review stressed the link between communication and building "a people-centred, inclusive and development-oriented Information Society, where everyone can create, access, utilize and share information and knowledge, enabling individuals, communities and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life" (6).

Despite that long awaited recognition, the communication rights movement itself has been criticized for a failure to demonstrate how sustainable development and the eradication of poverty can be enhanced, facilitated, or advanced through the implementation of communication rights. In *Negotiating Communication Rights: Case Studies from India* (Sage, 2011), Pradip Thomas, a stalwart of the right to communicate, notes:

"There is a need for the CR movement to ground itself in the local and begin from where people are. Vital to the survival of already enfeebled communities is their ability

to have faith in their own meanings, and the ability to articulate the key deficits including communication they face. ... A philosophy of communication rights offers a conceptual framework to understand the practice of communication rights. It offers a framework for us to understand the 'why' and 'what' of communication rights" (p. 47).

This issue of *Media Development* is an attempt to demonstrate how communication rights in practice have advanced the cause of social justice in particular circumstances and at particular times. As Seán Ó Siochrú, one of the leading lights of the CRIS Campaign, notes in his article, the right to communicate:

"goes beyond ensuring that those currently excluded from the public domain can have their voices amplified – welcome and all as this would be. The right to communicate is, in the end, not just about being heard: it must also mean securing access to the information you need; and being listened to by those in power with due consideration for your views."

You can lead a horse to water, but you can't make it drink. There are those who do not wish to listen to or give consideration to other people's views. While communication rights propose an environment in which people's voices can be heard, it is up to civil society in alliances and partnerships to call for, campaign for, and bring about real social change.

In turn, civil society needs the determined support and encouragement of enlightened governmental and non-governmental organizations, corporate entities that have the interests of others at heart, and faith-based organizations that want sustainable development goals to become reality. ■

Notes

1. Michael Traber (1992). "Communication as a Human Need and Human Right." In *Communicating Peace: Entertaining Angels Unawares*, edited by Philip Lee. Penang: Southbound (2008).
2. *The Right to Communicate: Historical Hopes, Global Debates, and Future Premises*, edited by Aliaa Dakroury, Mahmoud Eid, and Yahya R. Kamalipour. Dubuque: Kendall Hunt (2009).

From theory to practice: The right to communicate

Seán Ó Siochrú

In 2015 I was lucky enough to be chosen by WACC to evaluate its small-grants programme, under which development partners all over the world are annually selected for grants to implement communication-related projects and to build their capacities in this area.

The real pleasure, and privilege, was an opportunity to visit some of these partners; in my case three in the Philippines and three in the Democratic Republic of Congo, and for Bruce Girard, my friend and co-evaluator, three in Mexico.¹ For me, it was a welcome opportunity to explore the concept of the right to communicate, as it is actually implemented on the ground, in a development context.

The concept is not new to me. I have written extensively on it² and was among those who initiated and ran the CRIS campaign that had a significant impact on the World Summit on the Information Society (WSIS), as well as in a few countries in stirring up campaigns and actions around communication rights.

I have also myself designed and evaluated numerous development oriented projects. But this was the first time I could explore in depth how dedicated communication-related actions are built into the strategies of partners, many of whom work with the most extremely disadvantaged and oppressed people anywhere.

The concept of communication rights by now has quite a respectable literature, and a considerable armoury of arguments for why the right to communicate should, in principle, be acknowledged as a necessary deepening and expansion of other human rights - in the first instance the right

to freedom of expression as contained in for instance Article 19 of the Universal Declaration of Human Rights.

Amid ongoing concentration of corporate media ownership and the virtually total commercial takeover of the Internet, their success in promoting a global neo-liberal agenda offers clear evidence of the power wielded by the “free speech” of those with the loudest megaphones.

A social cycle of communication

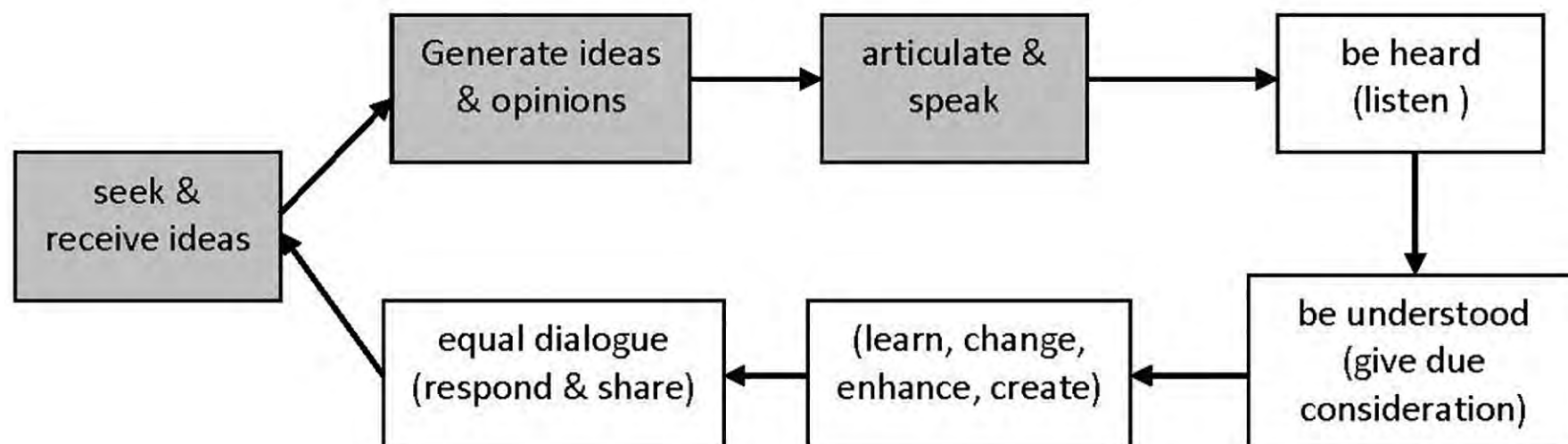
But the right to communicate is also more than this: it goes beyond ensuring that those currently excluded from the public domain can have their voices amplified – welcome and all as this would be. The right to communicate is, in the end, not just about being heard: it must also mean *securing access to the information* you need; and being *listened to* by those in power with *due consideration* for your views.

It is about enabling *genuine dialogue* on equal terms; and it is above all about a *right to a response from power-holders* to issues raised. This is illustrated by the diagram on the following page. The three grey boxes are usually associated with freedom of expression; the words in bracket are the expectations put on, or demands to, ruling elites (sometimes politely called “duty bearers”).

Freedom of expression can get you only so far, at most enabling you (and even this presupposes full access to the information, skills, education and language etc. needed) to articulate and express your concerns – with no guarantee that you will be heard, let alone listened to. Rather, securing an appropriate response demands that those in power listen; that your views are understood and considered; that elites are willing to learn and give up privileges (perhaps the most difficult one!); and that free and fair dialogue informs what to do.

The right to communicate is vindicated for people only when all these are in place. And these clearly presuppose a wide range of other “flanking” rights, from access to information, to the right to assembly, to educational, linguistic and cultural rights etc. What is unique about the concept of the right to communicate is that *it pieces them all*

The Social Cycles of Communication



together in a mutually interdependent sequence, enabling ideas to become reality in a social cycle of communication.

The concept of the right to communicate “connects the dots” between these other rights, not with a claim to supersede them, but rather by enabling them to become, together, larger than the sum of the individual parts through the cumulative impact of them all.

So much for the theory. The question is whether the concept of communication rights can be used concretely by those on the ground to set in motion and animate a dynamic sequence that transforms the demands of those excluded into meaningful and appropriate responses – or whether it is just a theoretical construct, a way of rearranging other rights in a coherent, but nevertheless abstract way.³

My interest in the WACC small-grant partners was to explore what happens in practice; to see if the idea of communication rights could descend from theoretical and ideological levels and be applied by partners in their daily struggles. While all partners’ projects were focused on communication issues, broadly defined, did the specific idea of communication rights prove to be useful to them?

Implementing communication rights

Although WACC partners were all at some point in the programme introduced to the idea of communication rights, their reading of it depended on where they were coming from.

Some partners are what might be called

mainstream media initiatives. They are usually established by journalists, but are moving into participatory approaches and advocacy based on a growing recognition that mainstream media tend to be compromised when reporting adequately on exclusion. An example was a radical weekly magazine run by a group of reporters, moving towards community activism and the recognition that only when people have their own media will their voices be heard.

In these cases, the idea of a right to communicate, beyond freedom of expression, mirrored closely their own journey, a parallel to what they were learning in practice. In their case, the communication rights terminology was embraced and is used. Freedom of expression was simply not enough and the broader idea of communication rights fitted the bill.

Other partners already deploy the terminology and operationalise it in different ways, primarily those involved in community media (who comprised the largest single group in the small-grants programme). A core understanding is already present (at the heart of the community media movement) that simple freedom of expression is not enough: media must be owned and shaped directly by communities if their voices are to genuinely represent their interests, and if they are to be disseminated to reach the wider public domain.

This is already a major advance on for example mainstream media and many human rights activists, even the more progressive of

whom seldom go beyond demands for freedom of the press and for the right to access information.

Yet this use of communication rights covers only part of the story; the part that enables the articulation of ideas and gets voices out there. It does not usually extend to further action that might ensure that the voices are listened to, given due consideration, and can enter a process of dialogue. Making this happen often demands further steps, supporting mobilisation of communities and other forms of lobbying, advocacy, direct action, building dialogue and so forth, and only some community media at present see themselves going this extra distance.

Then there are the many WACC partners that are primarily activists or advocates, with no media background, supporting on the ground the mobilisation of marginalised communities. These are coming to communication tools and practices often for the first time and would have no awareness of the right to communicate but a deep knowledge of the many barriers facing communities in securing their right.

Several of these were very attracted to the idea of the right to communicate, recognising its potential for encompassing and relating together

a variety of obstacles facing marginalised groups, and these were keen to look into the concept more deeply. This was the case, for instance, with one partner working very closely with indigenous groups and land-grabbing. But other non-media partners found that the concept, while interesting, did not resonate in their particular working environment, an example being an organisation involved in supporting and educating trade unions and workers in securing their rights.

Need for deeper understanding of communication rights

Thus overall, a lesson emerging is that there is considerable traction on the ground for the right to communicate and its deployment in certain contexts. A conclusion of the evaluation report was that WACC, though overall managing the programme very well, puts insufficient effort into deepening partners' understanding of communication rights and providing tools that might enable them to operationalise them in their specific contexts, a point that WACC has taken on board.

With these in place, many of these projects might begin to broaden their vision a little, in



Radio San Roque, Quezon City, Philippines, run by the Pinoy Media Center, whose goal is to address the real issues facing poor communities, including urban and rural poor and indigenous people. (Photo: Seán Ó Siochrú.)

terms of recognising the sequence of barriers faced by marginalised groups and the role that communication plays across many of them. They may choose to build their existing actions around communication rights and/or extend their area of action further towards these dimensions. They may also more clearly identify a need to collaborate with others involved in attempting to complete the “social cycles of communication”.

On this last point, the experience of the CRIS Campaign is relevant. Although primarily a campaign focused at the international level, in a couple of countries and due to strong local leadership, the CRIS campaign succeeded in becoming an umbrella concept. Two of these, Brazil and Colombia, are in Latin America – which is no coincidence as activism around communication issues tends historically to be very strong there.

The point, however, is that with minimal resources these national level campaigns managed to link together a number of actors, from community media, freedom of expressions, copying restrictions, linguistic rights, into a wider campaign under the frame of communication rights.

The potential for the right to communicate to form such a frame of reference should not be overstated. It is more relevant in some cases than others, at the level of individual groups struggling for change and at national level. But there is some good evidence that significant potential is there; that the practical deployment of the concept can assist NGOs and CBOs in their own strategies, as well as bringing more diverse groups together under a common umbrella at national or regional levels.

WACC, through its small-grants programme and wider resource provision and networking actions, is in a great position to provide real leadership to this and contribute to the emergence of a wider communication rights movement. ■

Notes

1. Hopefully the evaluation will be made public at some point, but enough to say now that myself and Bruce Girard overall were surprised, sometimes amazed, and heartened by what was

achieved with such modest grants by these really committed partners. We are hugely grateful for their time and insights.

2. See for instance CRIS Campaign 2006 Assessing Communication Rights: A Handbook most of which I wrote (<http://centreforcommunicationrights.org/articles/cris-campaign-assessing-communication-rights-a-handbook>). It gives a good introduction to communication rights. Also Chapter 14: “Finding a Frame: Towards a Transnational Advocacy Campaign to Democratize Communication.” in Hackett, R. and Z. Yuezhi (2005) Global Mediation. Lanham, MD, Rowman & Littlefield Publishers. This puts the case for communication rights as a frame for campaigning. For a prepublication version see: https://www.researchgate.net/publication/284184069_Finding_a_Frame_Towards_a_Transnational_Advocacy_Campaign_to_Democratise_Communication._%282004%29
3. Even as an abstract construct, it can serve a useful purpose. For instance, in the WSIS the concept served for many as a useful “ideological umbrella” under which those with differing issues, from community media, to opposing ever more restrictive copyright CRIS campaign, to internet access, could gather. Most international human rights laws also serve similar ideological functions, in the war of ideas, since they are usually unenforceable.

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Heard

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4/2014 Seeing and Hearing is Cool (on the
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Big data analytics and the right to privacy

Jenifer Sunrise Winter

My work addresses communication rights in the context of the widespread growth and expansion of the Internet. In particular, I focus on privacy rights in the context of Internet-based data collection and analysis (big data analytics).

Privacy is explicitly stated under Article 12 of the [Universal Declaration of Human Rights](#) and is seen as an enabler of other communication rights, such as freedom of expression and freedom of association. However, with the widespread diffusion of the Internet, technical barriers to surveillance have diminished, and legal and regulatory protections for personal privacy have been unable to address the complexity of related technical and economic changes. Because privacy is an abstract, seemingly intangible concept, deeply interwoven with other rights and dependent on context, it is often difficult to define and assess.

My task as a scholar is to document instances where citizens feel that their personal information has been inappropriately collected, used, or shared, and then (along with the work of other scholars) map out the benefits and harms of the technological systems that are enabling surveillance. I seek to provide evidence about how big data analytics can expose private information, thereby disadvantaging certain individuals or groups, creating unjust power differentials, and hindering public participation in democratic discourse – weighing this against the many possible benefits.

While we tend to think of the Internet as something virtual and intangible, information accessed via communication devices such as a smartphone or mobile personal computer, it is

rapidly becoming part of the natural world itself. An increasing number of ordinary objects are being designed, or redesigned, to include digital sensors, computing power, and communication capabilities.

By 2020, an estimated 50-75 billion “Things” (intelligent, everyday objects) may be connected to the Internet (Danova, 2013). As more of these become present in our daily environment and communicate over the Internet, the “real” and virtual worlds are merging. This so-called “Internet of Things” is poised to offer many benefits, but it also poses many threats to personal privacy and self-expression.

More data is expected to flow over the



Internet in 2016 than in the sum of all previous years since 1969 (Cisco, 2014). Data are increasingly generated and analyzed by computers, such as those embedded in modern automobiles, smart meters measuring electrical use in the home, and appliances in our homes. Many of these data are *personal* – for example, televisions or gaming consoles might record all of the audio in a room, capturing our personal conversations, or they may use facial-recognition features that observe when one is watching a particular television program or playing a certain game.

For example, Vizio smart televisions record the date, time, and channel of programs you watch and sell this information, along with your IP address, to data brokers such as Neustar, who combine it with hundreds of personal attributes

(e.g., your age, marital status, estimated wealth, credit score). Increasingly, data from smart “Things” is being combined with data from public records (e.g., address, property taxes, criminal records, divorce proceedings, and demographics, as well as data shared via social network sites).

Stripping away anonymity

Big data analytics harnessed by the emerging Internet of Things undoubtedly has the potential to offer a great deal of societal benefit; however, there is increasing evidence of unjust discrimination for some individuals and groups. In some jurisdictions, laws require that sensitive data are stripped of personally-identifiable information, anonymizing them to avoid harm. However, the volume of data now collected, and the sophistication of the tools used to mine it, makes it possible to re-identify anonymous data.

Medical researchers matched personal DNA sequences shared on Internet genealogy forums with other publicly available data – uniquely identifying many subjects (Gymrek, McGuire, Golan, Halperin & Erlich, 2013). Location-based data, such as that collected by your phone throughout the day, can also uniquely identify you. Researchers examining vehicle location data as part of the Telecom Italia Big Data Challenge, found that only a handful of data points (locations) was needed to uniquely identify drivers in the city of Milan, and that there is no way, at present, to anonymize these data (Manfredi, Mir, Lu, & Sanchez, 2014).

Anonymity is essential to democratic political practice, as it provides freedom to seek information and express ideas – however unpopular – including those critical of government (Solove, 2011). Anonymity enables citizens to go about their everyday lives without inhibition, and therefore its absence can stifle dissent and free expression. As citizens have become increasingly aware of state and corporate surveillance, they may self-censor, avoiding seeking information, sharing ideas, or associating with others due to fear of surveillance and reprisal.

A 2013 study by a national group representing journalists, cartoonists, and other writers, surveyed its members and found that they

reported increasingly engaging in self-censorship due to growing awareness of government mass surveillance programs that monitor the activities of everyday citizens (PEN American Center, 2013).

Impact on individuals

Analysis of large data sets may reveal patterns that allow governments or marketers to infer certain things about a person, or even forecast his or her behavior. As more and more data are being collected related to everyday tasks that seem innocuous – location over time, items purchased or browsed for, entertainment media consumed, “friends” added or looked at on social networks, or proximity with certain people or places, they can be used to make judgements that affect an individual and his or her life chances.

For example, in two recent studies I conducted, participants expressed concern that analysis of these data may lead to discrimination when individuals seek housing, immigration eligibility, or employment (Winter, 2014; Winter, 2015). Access to private data creates an asymmetry between citizens, who are surveilled and categorized, and states or corporations, who can mine it for insight.

For example, insurance companies may no longer spread risk across a large group when they are able to cut off those deemed less profitable based on big data analytics. Upturn (2014) notes that this is already occurring, as the collection of “non-traditional” third-party data sources enables prediction that is just as accurate as a medical examination. This may lead to higher financial burdens for those with certain medical conditions, as well as for healthy individuals categorized as high-risk due to late-night driving or living in a low-income area, groups already populated by vulnerable populations.

Similarly, when you bring your excess change to a self-service coin-counting kiosk, banks may be purchasing that data and using it to estimate the probability that you will default on your mortgage (i.e., they may assume that if you are constantly turning in coins, you may be struggling financially). In many cases, data collection

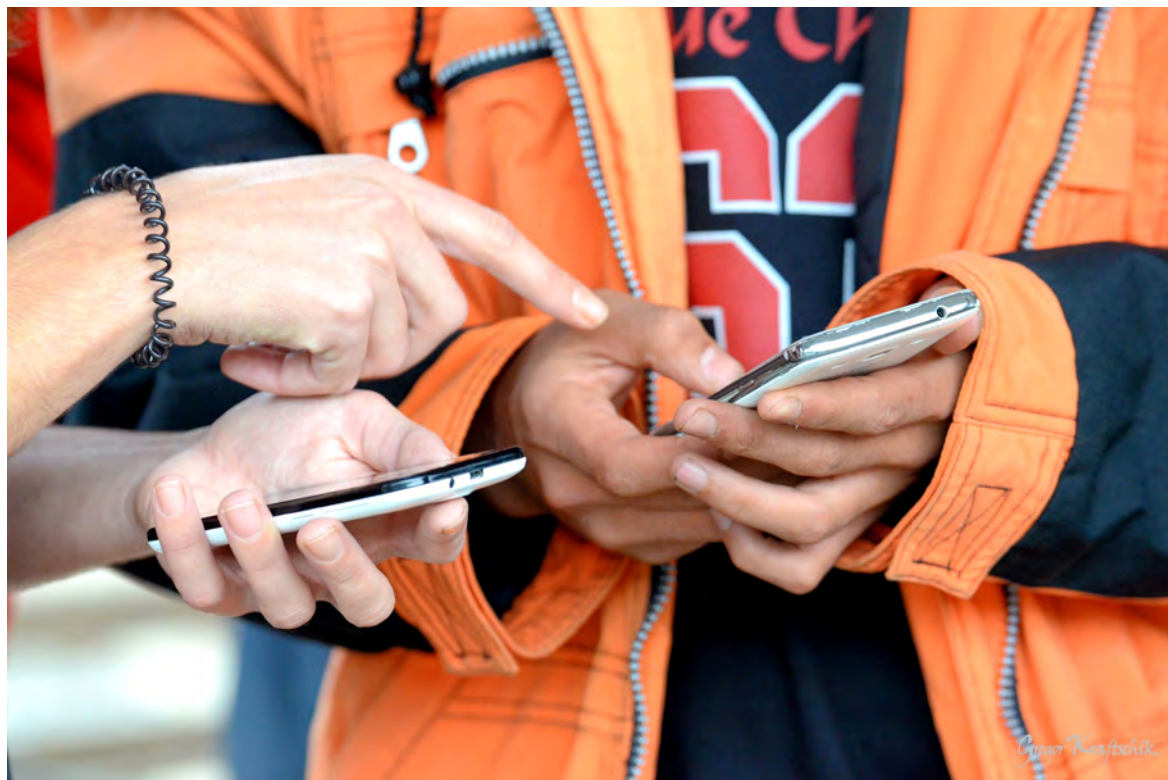
lacks transparency, so citizens are unaware of what is being collected, how it is being analyzed, or with whom it is being shared.

Despite legal protections, there may be instances where the monetary value of a data set outweighs an organization's concern with ethical or legal restrictions. Energy use data gathered by smart meters in the home, for example, might reveal specific lifestyle information that could be used by insurers or commercial service providers (National Institute of Standards and Technology, 2010).

Genetic information, increasingly available in anonymized form on the Internet, is another area of concern. Despite laws such as the *Genetic Information Nondiscrimination Act* (United States), there are powerful financial incentives for mining. Where such laws restrict use, big data analytics may simply rely on non-protected "proxy" fields, allowing other, non-protected information that correlates with the variable of interest to be used instead. Barocas and Selbst (2016) explain how process-oriented civil rights laws cannot adequately address the disparate impact of big data analytics, as discrimination based on proxies will often "discover" patterns that continue to reinforce existing social inequalities.

It should be noted that big data analytics is not limited to countries and regions traditionally rich in information and communication technologies – it is also poised to transform developing nations. Even where the Internet is not yet robust, the growth of mobile networks has enabled big data analytics. Credit assessment has been revolutionized by the predictive analysis of "non-traditional" data gathered via mobile phone use. On the positive side, this is bringing affordable credit to "hundreds of millions of aspiring middle-class consumers in emerging markets" in nations such as Kenya and Columbia (Costa, Deb, & Kubzansky, 2015, p. 4).

A similar positive benefit of big data analytics has been reported in regard to the Middle



East refugee crisis. As reported by Marr (2015), Nagina Kaur Dhanoa, CIO for the United Nations High Commission for Refugees, observed that "The first thing people running the Za'atri [refugee] camp in Jordan ask for is not tents and blankets, but where they can charge their mobile phone" (para. 4). Mobiles help refugees connect to health services, and locate food, supplies, and housing. They also allow governments, NGOs, and corporations to create unique data profiles for each refugee, creating the possibility for personal data abuse.

As big data analytics continues to penetrate the core of business and governmental decision-making around the world, my research seeks to assess the distribution of both benefits and harms resulting from data-gathering activities, as well as to explore whether the distributions that result are in conflict with general moral and political principles related to community values.

For example, in many democracies, privacy is understood as a concept that supports democratic values (e.g., equality and justice). By cataloging these distributions, scholars can influence policymakers. The results of two of my studies (along with other scholars' work) addressing privacy concerns related to the Internet of Things and smart meters have been recently included in public comments before the Federal Trade Commission, a United States government agency tasked with consumer protection.

Every 60 seconds



98,000+ tweets



695,000 status updates



11 million instant messages



698,445 Google searches



168 million+ emails sent



1,820TB of data created



217 new mobile web users

Further, because big data analytics and the emerging Internet of Things invariably put some subset(s) of citizens at risk, I have sought to make the process itself more transparent to citizens by taking part in media interviews and creating accessible summaries of research articles for the public.

While the effects of these efforts are not immediately observable, an accumulation of such research by scholars has led to governments around the world strengthening personal data protection regulations and has brought critical issues related to privacy and freedom of expression to the attention of the public, fostering informed debate. ■

Image credits: Page 10 "Smile, you are on camera," by Intel Free Press under CC BY-SA 2.0. Page 12 "A refugee helper and a refugee overcome language barriers by using their mobile phones," by G. Kraftschik under CC-BY. Page 13: Borja Burguillos.

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No democracy without freedom of expression for Indigenous Peoples

Cultural Survival Staff

On January 20, 2015, the town of Santa Eulalia Huehuetenango, Guatemala became the centre of an unfortunate and too common violent sequence of events targeting community journalists. The local community radio station Radio Snuq Jolom Konob was reporting about the national police terrorizing local residents during their search for “agitators.” The local authorities responded by shutting down the radio station.

Guatemalan community radio stations are frequently targeted in police raids. Over the preceding months, the residents of Santa Eulalia had been protesting against a hydroelectric company, Proyectos de Desarrollo Hídrico, which was developing plans for a dam on Q’anjobal Maya traditional lands and the station had been reporting on the protests.

“We need the intervention of organizations and authorities that protect human rights in order to get this information out. It is obvious that our authorities won’t do anything to protect us,” stated the radio station’s manager and communications rights defender Lorenzo Francisco Mateo. “We ask all of those that support us to help keep us safe, because many of our friends and co-workers are traumatized and scared. Five people were beaten pretty badly and we don’t know what will happen to us,” he added.

Persecution of community radio stations, like Radio Snuq Jolom Konob, is an all too common occurrence in Guatemala. The first six months of 2015 alone saw 59 documented attacks

against journalists including the murder of three journalists within one week in March. Cultural Survival, an Indigenous Peoples’ rights organization, has been working with the community radio movement in Guatemala since 2005.

Cultural Survival’s community radio partners in Guatemala have been organizing to defend their freedom of expression through community radio for over a decade. Community radio has been a vital presence in the country’s Indigenous communities since the 1960s. Indigenous Peoples in Guatemala rely on community radio to keep their cultures, languages, and traditions alive as well as to inform their communities about issues and events relevant to their lives.

Community radio also serves the vital function of distributing content to listeners in their own languages, reaching even the poorest areas where radio is often the only affordable form of communication. The right to this media is clearly defined by the Guatemalan Peace Accords, the Guatemalan constitution, UN Declaration on the Rights of Indigenous Peoples (Article 16), and international human rights bodies like the United Nations, the International Labor Organization, and the Inter-American Commission on Human Rights, yet access to community radio remains restricted due to an outdated telecommunications law that the Guatemalan Congress refuses to change.

Cesar Gomez, Content Production and Training Coordinator for Cultural Survival’s Community Media Program, explained that other community radio stations cannot be deterred from their important work, “As a media community we must make a decision to be at risk and continue to speak out. Radio Snuq Jolom Konob has served its community for over 15 years! This is a clear violation to our rights as Indigenous Peoples.”

Anselmo Xunic, Program Manager for Cultural Survival’s Community Media Program, declared, “As an organization that aims to protect the rights of Indigenous Peoples and freedom of expression in Guatemala, we are shocked that the government continues to ignore us. We can only continue to petition the State and the international community to spread the word. Our authorities



here aren't doing anything— we must now rely on our allies abroad to put pressure on the Guatemalan government.”

Cultural Survival's Community Media Program

In the internet age, small community-based radio stations may seem an outmoded means of communication. But for many Indigenous Peoples the low cost of community radio makes it the ideal tool for defending their cultures, their lands and natural resources, and their rights. Even in very poor, isolated communities lacking electricity, many can afford a small battery-powered radio. Radio is the medium of choice in many remote areas with little other forms of communication and it is the primary source of news, information and entertainment.

Town officials, the Guatemalan Ministry of Health, the National Police, and, during elections many political candidates, use community radio because they know it is the best way to reach listeners in rural, predominately Indigenous regions

of the country. In spite of all this, the current Guatemalan telecommunications law does not provide a licensing mechanism for community radio. This situation places the volunteers who run each local community radio station in a difficult position; in order to exercise their right and serve their community they must risk arrest for operating a station without a license.

Cultural Survival, alongside our Guatemalan sister organization, Asociación Sobrevivencia Cultural, has developed a network of dozens of community radio stations across Guatemala, as well as in El Salvador and Belize. These stations learn how to improve their operations through a series of training workshops and exchanges. Cultural Survival also provides these stations with programming on a regular basis, covering important topics such as Indigenous communities' right to Free, Prior and Informed Consent; reproductive rights and education; and caring for the environment.

Community radio volunteer at Radio Ixchel, Sumpango, Angélica Cubur Sul says, “As an

Indigenous women, I can say that the community radio is the only place that I can express my views and opinions and be sure that they will be heard by the entire town. The Mayor expresses his opinion on our radio, so do the police, and so do I.”

Cultural Survival’s Community Media Program operates mainly in Guatemala, as well as El Salvador, Panama and Belize, and continues to expand to all of Central America. Through litigation support and advocacy, the program also works to: 1) legalize community radio in Guatemala by pressing for reform of the country’s repressive telecommunications law; 2) assure Indigenous Peoples right to freedom of expression; and 3) support community radio stations that have been unjustly shut down by the government to resume on-air operations.

Indigenous Rights Radio

Cultural Survival’s Indigenous Rights Radio Program uses the power of community radio to inform Indigenous communities of their rights. Cultural Survival envisions a world in which Indigenous communities, equipped with knowledge of their rights, are empowered to protect their lands, languages, and cultures.

Cultural Survival’s Indigenous radio producers gather stories from Indigenous Peoples around the world. In English, Spanish, and a growing array of Indigenous languages, we bring the voices of the native peoples of Australia, Asia, Africa, Europe, and the Americas into dynamic dialogue about the meaning of Indigenous Peoples’ rights, their common struggles, and their evolving and innovative solutions to the issues they face today. To date, 1461 radio stations have received our programs, across 55 countries, in 30 languages.

On December 9, 2014, Sololá’s beloved Radio Juventud was added to the list of community radio stations raided by the Guatemalan Public Ministry. All equipment was seized. For over 10 years Radio Juventud has contributed to educating and informing the surrounding communities. Broadcasting the majority of its programs in the local Indigenous language, Kaqchikel, the station counts women, children, elders and many youth among its members. Sololá’s Indigenous com-

munities are informed of their rights as Indigenous People, in part due to the efforts of Radio Juventud broadcasting Indigenous Rights Radio programming produced and distributed globally by Cultural Survival.

Immediately following the raid, the community quickly organized and notified the Indigenous Municipal Authorities. Together, they addressed the judge who authorized the raid, citing the UN Declaration on the Rights of Indigenous (Article 16), the Guatemalan Constitution and the Peace Accords, while making the case for why the station is essential to their community, and demanding a return of the seized equipment.

The judge spoke to the leaders and stated that he had signed the permission without understanding the effect it would have on the community. The Indigenous authorities and radio volunteers began protesting in front of the courthouse and demanded that the judge petition the Office of the Public Prosecutor and the National Police to return of all the confiscated equipment.

And the community won. On December 16, as a result of a court order, all equipment was returned to the community. This was the first time in the history of raids that equipment was returned to a radio, hopefully setting a precedent for community radio stations all over the country. Unfortunately this court decision was overturned in the fall of 2015, and the community is engaged in a legal battle for their radio station, with the support of Cultural Survival.

International advocacy

“We have come to very respectfully ask that the Commission follow up on our request. We are well aware of current policies on radio broadcast throughout the region and the sustained approach that favours monopolies and oligopolies. Central America is challenged in developing a human rights approach to communication. This requires dismantling the hyper-mercantilization that has drawn the human rights map,” said Ancelmo Xunic as he addressed the Inter-American Commission on Human Rights on October 23, 2015 at a thematic hearing on Examining Freedom of Expression in Honduras, El Salvador, and Guatemala

during its 156th Session in Washington, D.C.

Organized by Cultural Survival and partner organizations¹ the session sought to shine a spotlight on the daily rights violations that Indigenous journalists and communities face when exercising the universal right to freedom of expression and communication.

International advocacy is just another avenue to put pressure on Guatemala and other Central American countries to respect, protect and fulfil the right to freedom of expression for Indigenous communities. These basic rights make up the foundation of a well-functioning democracy, yet communities in Central America share a common experience, history, and reality that citizens' freedom of expression and the right to communication are not equally respected and guaranteed.

Indigenous journalists and community radio operators, despite physical threats, state persecution, and even risk of death, continue to exercise

their rights in order to serve their communities. Telecommunications laws in Central America do not recognize community radio except in Honduras, and even there, a law that favors commercial institutions is the one that prevails.

“Guatemala’s diversity is its strength, but there is discrimination, and it has been co-opted by de-facto groups that hold power and abuse it. The concentration of media is viewed as normal among the people who do not realize it is a violation of social, civil, and political rights and an attack on their freedom of expression. It violates the quality of democracy, democratization of media, and the constitution,” said Alma Gloria Temaj-Morales of Asociación Mujb’ab’l yol: Encuentro de Expresiones.

The 1996 Peace Accords that ended Guatemala’s 36-year civil war guaranteed the democratization of the media. However, the current telecommunications law makes no provision for non-profit community radio. “One of the strategic



resources is radio frequency. We are seeing a greater concentration of media outlets, and concern is strong when greater concentration of media is in few hands. These outlets have undermined standards of democracy. Young democracies are at the mercy of serious structural voids that threaten the progress of their political systems,” said Xunic.

In Guatemala, radio frequencies are either reserved for government use or auctioned to the highest bidder, so Indigenous communities must compete directly with commercial radio stations. The Community Radio Movement of Guatemala with Cultural Survival’s support brought a case to the Constitutional Court arguing that this practice is discriminatory against Indigenous Peoples. In March 2012, the court exhorted the congress to legislate in favour of Indigenous community radio stations, allowing them access to radio frequencies. Since then, Bill 4087, which seeks to legalize and regulate community radio, has been introduced to the Guatemalan Congress, but it has not been ratified into law.

The concentration of media ownership is a violation to Article 130 of the Guatemalan Constitution, which prohibits media monopolies. “The concentration of media due to political candidates asking for airtime...these are structures of power that are coordinated around traffic of influence and corruption. We call on the Commission to raise the profile of this situation and put conditions in place where Indigenous Peoples and others can utilize the radio spectrum,” said Temaj Morales.

In addition, in recent years, community radio stations have been the targets of police raids, criminal investigations, and unlawful imprisonment. “Under rule of law, it’s impossible to allow community radio broadcasting to be prosecuted. It is a contradiction,” said Xunic. “Official state propaganda in Central America continues to be used to either reward or punish media. The Commission and Special Rapporteur must make efforts to work with civil society to ensure greater plurality of voices to strengthen democracy in the region.”

The Commission members asked the panellists for more information regarding their opin-

ion on adequate regulation and laws with regard to community radio broadcasting as well as more information on the abuse of criminal law against people who engage in community radio broadcasting. The Special Rapporteur on Freedom of Expression, Edison Lanza, stated that “the Commission firmly believes that diversity and pluralism are conditions and ends to democratic systems, and that in order for freedom of expression to wholly exist, States must assume their obligations and adopt legislation and effective public policies that enforce social inclusion.”

Mark Camp, deputy executive director of Cultural Survival, who attended the hearing, said, “It is clear that Indigenous community radio is an extremely important tool for Indigenous Peoples. It can help sustain Indigenous cultures and languages. And when radio stations are operated by the community and for the community, it promotes participatory democracy. Governments must demonstrate their respect for the right to freedom of expression by ceasing their attempts to bar Indigenous community radio from meaningful access to the airwaves.” ■

Note

1. Asociación Mundial de Radios Comunitarias (AMARC Subregión Centroamérica), Asociación de Medios Comunitarios de Honduras (AMCH), Asociación de Radios Comunitarias de Guatemala (ARCG), Asociación Sobrevivencia Cultural, Central American Institute for the Study of Social Democracy (DEMOS), Comité por la Libre Expresión (C Libre), Fundación de la Comunicación para el Desarrollo (Comunicándonos), Junta Ciudadana por el Derecho Humano a la Comunicación, and Mujb’ab’l yol: Encuentro de Expresiones.

Image credits: Page 15 on air at Radio Kairan in Banti-Bhandar-4, Ramechhap, Nepal, one of the stations Cultural Survival helped rebuild after the devastating earthquakes of 2015 (photo by Dev Kumar). Page 17 Cultural Survival Indigenous Rights Radio Producer Kaimana Barcarse interviewing Vicky Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples for a radio program (photo by Danielle DeLuca).

Cultural Survival advocates for Indigenous Peoples’ rights and supports Indigenous communities’ self-determination, cultures and political resilience. For more information, visit: www.cs.org

Communication rights in a post-war country are a precondition for sustainable development

Amra Selesković

Is it possible to create an open community space so that people can freely speak and contribute to post-war reconciliation? This was the question a group of young people started to think about in community radio in Bosnia and Herzegovina in the late 1990s. At that time access to the internet was limited, but we soon discovered the AMARC community radio charter and it served as starting point for new ideas.

VestaRadio, the first non-profit community radio in Bosnia and Herzegovina, was born in 2001, after two years following an erratic application process. The regulatory body was not familiar with the idea of a third sector in communication and the role of Vesta group was to explain and convince decision-makers that something like this should exist in a country like Bosnia and Herzegovina. Finally, the committed volunteers succeeded and the first programme went on air on October 21, 2001.

The challenge to involve the community in using the new concept of radio appeared to be one of the most important in the development of VestaRadio. Before the 1992-95 war, there were only public broadcasters in Bosnia and Herzegovina, which were strongly influenced by the government. Professional radio editors and speakers were those who created public opinion and served governmental goals. Such a tradition could not

create democratic and open community groups who would grab the microphone impatiently and advocate the rights of marginalized people. For VestaRadio it was obvious that communication rights were not even recognized, so their application was hardly possible.

By setting up carefully designed training opportunities for community members and the possibility of applying newly adopted knowledge and skills, VestaRadio created an army of devoted contributors, people who wanted to address specific issues in the community and to speak about them openly.

The open call for community members to join VestaRadio became standard practice. Every six months citizens, civil society organizations, students and private entrepreneurs get an opportunity to take part in training and to pick up basic information about their communication rights and ways of exercising those rights. Most of the trainees decided to apply their adopted skills and knowledge in VestaRadio by running campaigns or by informing audiences about forgotten and marginalized issues in the community.

One of them was a group of semi-blind and blind people who had a show about their daily activities and challenges. Listeners could hear and learn about the way they dealt with activities that most people take for granted such as choosing clothes, walking in the street, shopping and preparing meals.

Moreover, it was clear that this group of people organizes cultural events, writes poems, cooks together and does things that most people might consider extremely difficult or unusual for blind people. Listeners got the message that anything is possible if you really want it. Perceptions about blind people have been changed. Communication rights in practice have brought blind people closer to the community. Soon, citizens started to donate money and goods to an association of blind people with a wish to make their world better.

VestaRadio team thought how to use radio not only for awareness raising but for specific and visible changes in the community. Therefore, a new training module was developed on public advocacy. Somebody raised the question: "Should



Staff of VestaRadio, Bosnia and Herzegovina. (Photo: VestaRadio).

media take sides or stay neutral?" VestaRadio responded by pointing out several marginalized groups in the community that other public and private media do not recognize at all and replied with the question: "Who else provides these groups with an open channel for exercising their communication rights? Who else has no other goal but to allow people to address issues they want to address, with no interest for profit and no political agenda?"

The beginnings of a network

VestaRadio proved that was possible to run radio by the people for the people. Over the last 15 years, various campaigns were implemented by community members with specific and measurable results. Starting with a simple one, such as the installation of new traffic lights near the school to some that required additional resources such as renovation of the city park.

A major challenge for the team of VestaRadio was how to spread the idea to the whole country? When we started there were no other community radio stations to begin to create a network. Still, some public media in small communities in Bosnia and Herzegovina expressed their wish to be closer to civil society organizations and to cooperate with them. So, the network of Coordinators for the Creation and Implementation of Campaigns was established in 2006.

At that time, the network had 14 members from seven municipalities. This ensured the implementation of nationwide public campaigns. Citizens from other cities took the opportunity to approach a civil society organization, a member of the Network, and to raise a question for the campaign. The network itself had an obligation to study proposals and jointly to initiate and implement campaigns at the national level.

One of the most interesting campaigns was

related to discrimination of women who had different rights related to maternity leave and allowances in Bosnia and Herzegovina depending on the area they lived in. Pregnant women and newly delivered mothers got an opportunity to speak about this problem in the media through the Network. Additional desk research about the regulation proved institutionalized discrimination, so the Network wrote a policy document and presented it through gender advocacy groups in Bosnia and Herzegovina and Parliament.

Soon afterwards, this problem became one of the most important issues at parliamentary sessions. Unfortunately, politicians and parliamentarians have not yet found any solution to the problem. However, the fact that young women in BiH communicated their concerns and raised the question in public remains one of the most relevant achievements of VestaRadio and the Network.

Exercising communication rights became a regular practice in VestaRadio and people recognized the difference and advantages of being a member of non-profit community radio just by listening to the private commercial sector. By advocating for a sustainable minority return to pre-war settlements, for solving communal problems they face every day or just for a new, lighted park in the middle of the city, these active citizens accepted their own responsibility in sustainable development and used VestaRadio in order to be heard.

Over the last 15 years, VestaRadio took the side of those who are invisible, marginalized and forgotten in Bosnia and Herzegovina. It offered them an open space to practice their communication rights and help them to initiate discussions with decision-makers about the issues relevant to them and forgotten by the authorities.

VestaRadio's communication practitioners managed to solve some of the day to day problems they face, but also to share positive thinking about the beauty of life, ongoing efforts for greater social justice, and the importance to be communicative and devoted to change. ■

VestaRadio is a WACC project partner.

El derecho a la nacionalidad y el periodismo ciudadano

Solange de la Cruz Matos

Las redes sociales se han evidenciado como instrumentos idóneos para acompañar procesos de reivindicación de derechos, dando paso a un creciente movimiento de ciudadanas y ciudadanos que se han empoderado de esas plataformas para lograr adhesiones, movilizar y mantener informada a la población de las incidencias que experimentan esos espacios de reclamación.

En la causa que llevan a cabo en República Dominicana diferentes sectores exigiendo el derecho de descendientes de haitianas/haitianos que nacieron en territorio dominicano a la nacionalidad dominicana, las redes sociales y las bitácoras han jugado un rol activo.

Desde el Espacio de Comunicación Insular ([Espacinsular](#)), en el marco del proyecto Promoción de los Derechos Humanos a través del Periodismo Ciudadano que ejecutamos con apoyo de la Asociación Mundial para la Comunicación Cristiana (WACC, por su sigla en inglés) y de la Iglesia Waldensian en Italia - Otto Per Mille (OPM), colocamos una lupa en esa experiencia para indagar sobre el periodismo ciudadano y su ejercicio en la defensa del derecho a la nacionalidad de esa población.

El estudio partió del planteamiento siguiente: El dictamen de la Sentencia 168-13 por parte del Tribunal Constitucional dominicano, que desconoció el derecho a la nacionalidad dominicana de la población de ascendencia haitiana nacida en el país de padres con un estatus migratorio calificado como irregular, originó que redes sociales



En la calle. “El periodismo ciudadano se perfila cada vez más como una pieza clave para pluralizar el espacio de opinión pública.” (Foto: Espacinsular.)

(especialmente Twitter y Facebook) y blogs fueran utilizados para cuestionar esa disposición. ¿Ese uso de las redes sociales y blogs podría considerarse como periodismo ciudadano, visto éste como un ejercicio que implica el derecho a la comunicación por parte de la población, un reconocimiento de la influencia de la comunicación en los estamentos de poder y una demanda de democratización de la comunicación?

Sustentamos el concepto de periodismo ciudadano, además, en los principios de la comunicación de la WACC, que la concibe como un ejercicio espiritual de construcción de comunidad, de promoción de la participación, de libertad y de responsabilidad, que celebra la diversidad cultural, que construye vínculos y desafía las injusticias.

Sobre la muestra utilizada

Para el estudio, la muestra quedó estructurada por 383 mensajes compartidos en el período de 23 de

septiembre de 2013, fecha de la emisión de la Sentencia 168-13, al 23 de septiembre de 2014, transcurrido un año. Los mensajes correspondieron a 7 páginas de Facebook, 4 de Twitter y 3 blogs, en los que 11 usuarias y usuarios compartieron enlaces a publicaciones de prensa y artículos de opinión, peticiones de firma, convocatorias a actividades de solidaridad con la población afectada por la Sentencia TC 168-13, reseñas y comentarios.

Para conocer qué piensan usuarias/usuarios, académicos/as y periodistas profesionales acerca del periodismo ciudadano y sus aportes en este tema de la nacionalidad dominicana de hijas/hijos de inmigrantes de Haití nacidos República Dominicana, diseñamos sendos cuestionarios.

Seleccionados 25 usuarias/usuarios que utilizaron activamente las redes sociales Twitter y Facebook y blogs, asumiendo posiciones críticas sobre la Sentencia 168-13 del Tribunal Constitucional en el período determinado. De ese total,

16 completaron el cuestionario, para un 67%. También aplicamos un cuestionario a cuatro profesores universitarios y otro cuestionario a seis ejecutivos de medios de comunicación / periodistas profesionales.

En adición, organizamos un grupo focal con nueve personas que usan las redes sociales Twitter y Facebook, y blogs. Cuatro de ellas formaron parte de la muestra a quienes remitimos el cuestionario para usuarias/os de redes sociales.

Usuarias/os de redes sociales

En los mensajes compartidos por usuarias/usuarios de redes sociales y blogs se evidenció el nivel de compromiso e involucramiento que asumieron en el proceso de lucha en contra de la Sentencia, dictamen que no les resultó ajeno debido a que afectó directamente a una parte de este colectivo que se vio despojada de su nacionalidad y expuesta al desarraigo que se traduce en un amplio abanico de vulnerabilidades que dañan la dignidad de las personas.

Lo primero que resalta es que se percibieron empoderadas/os del derecho a comunicar y a informar utilizando las redes sociales y las bitácoras, herramientas que se muestran idóneas para avanzar en democratizar la comunicación y que permiten crear interacción, establecer diálogos y construir comunidades virtuales. Pero esta virtualidad fue superada, pues las comunidades que se crearon en el ámbito de las redes sociales se movilizaron en el territorio con la participación en concentraciones, plantones, conciertos, desayunos y otras actividades que fueron convocadas e informado su desarrollo principalmente a través de esas herramientas de comunicación.

Al responder a la pregunta sobre la finalidad del uso de las redes sociales y blogs, indicaron que las conciben como un espacio de incidencia para la lucha, para el intercambio de ideas y acciones, promover una convivencia en armonía, participar en debates, emitir opiniones, promover eventos, actividades y compartir documentos y noticias, para la defensa de los derechos humanos, para estar comunicados y actualizados.

Quienes resultaron afectadas/os con la Sentencia asumieron el protagonismo y la responsab-

ilidad de su propia causa, y junto a las otras personas que conformaron la muestra defendieron a las demás que resultaron desnacionalizadas.

Las usuarias y usuarios de redes sociales y bitácoras que formaron parte de la muestra descubrieron mediante el uso de sendas plataformas oportunidades para vencer obstáculos que les impiden acceder a los medios de comunicación convencionales a fin de incidir en las agendas y generar opinión pública. Esas nuevas herramientas les permitieron ejercer su derecho a la comunicación y a la información.

Si se toma en cuenta que quienes favorecieron la Sentencia 168-13 coparon los periódicos, la televisión y la radio, la labor que desempeñaron fue determinante para que se escucharan otras voces a través de esos medios alternos, los que perciben asequibles y poderosos (de gran alcance) para llegar a los públicos sobre los que quieren incidir mediante la opinión y el intercambio de información.

Las redes y los blogs les permitieron decidir no sólo qué compartir dentro del amplio abanico de contenidos disponibles sobre temas en debate provenientes de fuentes diversas, como publicaciones en diarios (impresos y digitales), e informes de instituciones (oficiales y privadas) y de organizaciones, sino generar enfoques propios, denunciar violaciones y opinar abiertamente sin que esa opinión fuera censurada porque afectase intereses políticos y económicos.

En cuanto a sus concepciones sobre el periodismo ciudadano, resaltan principios como la horizontalidad, la autonomía, el compromiso, la participación, la integración y un enfoque de derechos humanos. Pensar el periodismo ciudadano como una actividad de tanto peso y responsabilidad, se constituyó en un acto de conciencia responder a la pregunta sobre si se consideran periodistas ciudadanos/as. Y claro que se consideran periodistas ciudadanos/as.

Docentes de universidades

Las concepciones de periodismo ciudadano expresadas por la academia revelaron marcadas diferencias. Dos de ellas le otorgaron reconocimiento al considerarlo como una acción mediante la cual per-

sonas sin formación especializada en periodismo comparten información (“la expresión del pueblo ante un hecho o acontecimiento”), haciendo uso del derecho universal a la comunicación y a la información, aportando a su vez al fortalecimiento del sistema democrático (“una forma de ejercer sus derechos y de esa forma hacer ciudadanía”).

Plantearon que a esa comunicación ciudadana, que se caracteriza por la ausencia de jerarquías (“se emite desde la horizontalidad”), se le requiere que esté comprometida con las mayorías (“un periodismo al servicio de la gente”).

Se distingue otra concepción del periodismo ciudadano, que lo circunscribe a los temas abordados (“incorpora en los contenidos comunicacionales que difunde aspectos que tienen que ver con las necesidades, con las expectativas y con las problemáticas de los y las ciudadanas”). Desde esta perspectiva, la labor informativa la ejercen exclusivamente periodistas profesionales mientras que el ciudadano/ la ciudadana es solo fuente de noticias (“coloca como elemento protagónico de la información a los ciudadanos a partir de su voz, de su reclamo, de su visualización física”).

Y una tercera concepción lo presenta como lo alterno (“periodismo que no está alineado a grupos de poder tradicional”). La característica que define a los/las periodistas ciudadanos/as es la falta de formación especializada (“carente de lineamientos claros de la misión de informar”).

En cuanto a la profundización sobre el tema en las universidades dominicanas, en solo una de las tres academias seleccionadas para este estudio se ha iniciado alguna reflexión sobre este fenómeno comunicacional.

Ejecutivos de medios y periodistas profesionales

El periodismo ciudadano ejercido por ciudadanas y ciudadanos no encuentra aceptación generalizada entre los/las periodistas profesionales consultados/as. En sus definiciones se experimenta reconocimiento (“transmisión de información u opinión que se da de forma masiva fuera de los medios tradicionales, generalmente impulsado por ciudadanas y ciudadanos”); cuestionamiento (“un intento por vincular a la ciudadanía a una labor

que han realizado profesionales y técnicos, vinculados a la provisión de información”), o rechazo (“una forma errada de plantear las expresiones de inconformidad de los distintos segmentos de la sociedad ante una problemática”).

Hablar de periodismo, argumentan, requiere especialización, que el contenido esté carente de subjetividad y estar al servicio de la gente. En ese contexto, se considera esencial que la labor periodística esté regida por un/a profesional del área “a través del cual se exprese la ciudadanía”.

En relación a si el tráfico de información generado a través de las redes sociales y bitácoras condenando la Sentencia 168-13 del Tribunal Constitucional puede ser considerado periodismo ciudadano, de los/as seis periodistas consultados/as solo una y otra abogó por referirse a esa labor en otros términos.

Conclusiones

El periodismo ciudadano se perfila cada vez más como una pieza clave para pluralizar el espacio de opinión pública y, de este modo, incidir en la toma de decisión sobre asuntos públicos de gran relevancia para el país.

Siendo un campo de actividades, tradicionalmente reservado a los periodistas y otros profesionales de la comunicación y la información, el periodismo se convierte progresivamente en un instrumento de incidencia pública y política, gracias a las redes sociales en las que se producen, circulan y consumen informaciones de todo tipo. Además, las redes sociales permiten una producción más ágil y en tiempo real, así como una mayor circulación e incluso una incidencia mucho más poderosa en la opinión pública.

En este sentido, en nuestro actual contexto de globalización el mismo concepto de periodismo necesita ser redefinido, y su ejercicio se encuentra enmarcado inexorablemente en las nuevas tecnologías de comunicación e información (TIC). Por lo tanto, el debate en torno al periodismo ciudadano convoca no sólo a periodistas profesionales sino también a los usuarios de las TIC y a ciudadanos y ciudadanas en general que desean ejercer su ciudadanía mediante todas las acciones a su alcance.

La noción de ciudadanía, entendida no sólo como cúmulo de derechos otorgados por la Constitución sino también como acción, participación y compromiso, necesita también ser redefinida a la luz del nuevo periodismo (digital y en la sociedad de información) que permite al ciudadano incidir en la toma de decisiones públicas.

El estudio del caso concreto del periodismo ciudadano y su ejercicio en la defensa de los derechos ciudadanos de personas afectadas por la Sentencia 168-13 en República Dominicana evidencia otra forma de ejercer el periodismo y otra manera de ejercer la ciudadanía: mediante el uso de las redes sociales y las TIC. Un periodismo que se ejerce con compromiso ciudadano y también una ciudadanía que interviene en el periodismo para ejercer su incidencia sobre una decisión controvertida tomada por el Estado.

Resulta de los dos procesos, periodismo y ciudadanía, un entrecruce de acciones que permitió generar otro periodismo (ciudadano) y otra ciudadanía (digital) que han convergido ambos a defender los derechos humanos de quienes se vieron, de un día a otro, privados de su nacionalidad por culpa de una sentencia inhumana.

Finalmente, la principal tarea del ser humano consiste en utilizar todos los medios a su alcance, entre ellos el periodismo, todas las tecnologías, los dispositivos y los medios de la actual sociedad de información, para salvaguardar “el reconocimiento de la dignidad intrínseca y de los derechos iguales e inalienables de todos los miembros de la familia humana”, en particular, el derecho a la nacionalidad. ■

Genre, politiques et pratiques dans les médias au Bénin

Jean S. Aguegue

Les femmes représentent la majorité de la population béninoise, mais elles sont les moins connues. Elles drainent la foule lors des grands regroupements à la place publique, mais elles n'ont pas droit à la parole. Elles détiennent le nerf de l'économie nationale pour être au premier rang des activités marchandes, mais elles n'ont pas voix au chapitre dans les instances de prise de décision. Elles ont un goût assez prononcé pour la culture et le maintien de la paix mais elles en bénéficient souvent trop peu parce que, victimes de plusieurs formes de violences. Avec un sens très élevé de la notion du bonheur, elles en subissent généralement le revers. Les femmes, puisque c'est d'elles qu'il s'agit, sont souvent absentes là où elles sont censées donner de la voix pour leur plein épanouissement et pour l'équilibre de la société. Si le continent africain est généralement concerné par ce phénomène, le cas béninois est plus parlant.

L'ONG Espoir de la Famille a mis en œuvre avec le soutien financier et technique de la WACC (World Association for Christian Communication) le projet intitulé : « *Promouvoir la participation et l'implication des femmes dans les médias pour un meilleur traitement des questions de genre dans les politiques et les pratiques des médias au Bénin* » L'un des buts visés par le projet est de réaliser une étude dans les départements de l'Ouémé et du plateau sur « *monitoring des medias sur la promo-*

tion du genre dans les médias » Etalée sur la période allant du mois de Janvier à Décembre 2014, cette étude a permis de mieux cerner les contours d'un phénomène aux conséquences insoupçonnées, mais se posant avec acuité au Bénin.

L'étude a consisté, pour 40 moniteurs dont les compétences ont été renforcées sur le monitoring des médias, la communication, médias et genre, de suivre 17 organes de presse dont 07 radios, 07 presses écrites et 03 télévisions locales, pour renseigner les fiches de codage spécialement conçues, résumer des émissions ou des publications portant sur le genre ou de joindre des résumés, coupures de presse ou éléments audio-visuels permettant d'apprécier le phénomène objet de l'étude.

Le désintérêt, le désamour et la désinvolture: des terrains fertiles

Le *désintérêt* et le *désamour* des femmes pour les médias d'une part, est patent. En effet, la majorité des journalistes présentateurs des médias suivis sont des hommes, soit 67% pour les radios, 76% pour les télévisions et 79% pour la presse écrite. Les femmes représentent en moyenne 19%, soit 22% au niveau des radios, 15% pour les télévisions et 21% pour les presses écrites. Cependant, les

femmes et les hommes interviennent ensemble très rarement ou presque pas sur l'ensemble des médias suivis au cours de la période, soit 10% au niveau de la radio, 9% au niveau de la télévision et 0% au niveau de la presse écrite.

De manière générale, l'implication des hommes dans le traitement de l'information au niveau des différents médias suivis est largement supérieure à celle des femmes, soit en moyenne 70% pour les hommes contre en moyenne 21% pour les femmes. Celle des hommes avec les femmes simultanément vient en dernière position, soit en moyenne 9%. Ces résultats montrent largement la faible participation des femmes dans les productions médiatiques au niveau des médias et justifient le bien fondé du projet. L'approche genre n'apparaît donc pas dans les médias, pourrait-on conclure sans le risque de se tromper. Ces résultats montrent le faible niveau d'implication des femmes dans les reportages au niveau des différents médias suivis.

La *désinvolture* d'autre part, parce que les sujets ayant rapport à la femme sont l'objet de moins d'attention dans les médias. Pour preuve, sur 83 reportages effectivement suivis au niveau des radios lors de la période du monitoring, ce sont les questions relatives à la politique et au gouver-



Des moniteurs examinant la presse écrite où l'on a constaté une faible présence des femmes dans les reportages. (Photo: EPFONG.)

nement, à l'économie et au développement rural qui ont été abordées presque dans la même proportion soit respectivement : 33%, 34% et 34% , pendant que les questions relatives à la "Pauvreté, logement, bien - être social", la "participation des femmes au processus économique", l'"économie rurale, agricole, pratiques", la "santé reproductive" et la « *pauvreté* » qui sont en principe des sujets qui touchent le plus les femmes sont abordés à très faible proportion, soit 1% justifiant le peu d'intérêt accordé par ces radios aux sujets relatif à la promotion de la femme.

La situation au niveau des télévisions est moins reluisante. Sur 27 reportages suivis par les moniteurs sur les télévisions ciblées lors de la période de monitoring. 48% de ces reportages concernent la thématique « politiques et gouvernement », 26% la thématique « économie » et 26% encore la thématique « développement rural ». Quant aux sujets relatifs à « l'économie » et au « développement rural » qui touchent en grande partie les femmes, ont été très peu abordés par les télévisions.

C'est dire donc qu'au Bénin en général, et dans les départements de l'Ouémé et du Plateau en particulier, les femmes sont mal représentés en matière de participation et d'accès aux médias. Peu d'entre elles sont dans les équipes de reportage et, que ce soit à la radio, à la télévision, ou dans la presse écrite, la parole donnée aux femmes est soit limitée ou quasi absente.

Cette mauvaise ou inégale représentation empêche les médias de devenir des espaces démocratiques intégrateurs. L'absence d'égalité homme/femme aux hautes fonctions politiques ou administratives, aux fonctions électives et dans les médias ne promeut ni le genre ni la parité encore moins le droit des femmes à la représentation, à la communication et à la participation aux instances de décision qui est pourtant un droit acquis.

Les textes prospèrent, le mal demeure et opère

Malgré la promesse des textes et des engagements, le phénomène demeure, opère et prospère. L'absence notoire des femmes dans les instances de prise de décisions et dans les médias et le manque

d'intérêt de ces derniers aux questions de « genre » et de « l'égalité homme/femme » mettent le Bénin en porte-à-faux par rapport à ses engagements internationaux.¹

Pour traduire dans les actes ces instruments internationaux ratifiés, les autorités béninoises ont pris, au fil des années, des mesures pour protéger et promouvoir les droits humains notamment ceux des femmes. En témoigne la Constitution béninoise du 11 décembre 1990 qui dispose clairement en ses articles 9 et 26 que « L'homme et la femme sont égaux en droit ». Pour renforcer cette disposition constitutionnelle, plusieurs lois ont été adoptées.²

Cet arsenal juridique est renforcé par la création d'un Ministère³ chargé de la promotion de la femme dont des points focaux Promotion Genre sont installés dans tous les ministères. On peut passer sous silence, la création par décret n° 2009-728 le 31 décembre 2009, de l'Institut National pour la Promotion de la Femme dont le but est d'améliorer l'atteinte des objectifs qui lui sont assignés et modifié par le décret 2015-161 du 13 Avril 2015 qui fait de cet institut un Office à caractère social et scientifique doté de la personnalité juridique et de l'autonomie financière.

Malgré cette floraison de textes et d'instruments juridiques, les engagements du Bénin pour le moment, semblent théoriques. Cet état de chose s'explique d'une part par le manque de volonté politique et d'autre part, par le fait que certaines femmes victimes d'injustice sociale liée au genre ne sont toujours pas prêtes à se faire interviewer. Seules quelques femmes activistes et membres d'organisations ont le courage de monter au créneau pour dénoncer les injustices mais elles sont souvent limitées.

Le faible engouement des journalistes par rapport aux sujets d'investigation fait que les zones rurales où subsistent le plus souvent les discriminations relatives au genre sont très souvent laissées pour compte, privant ainsi de parole, nombre de femmes rurales qui doivent continuer de subir stoïquement, les différentes formes d'injustices qui leurs sont faites, les médias béninois étant le plus souvent occupés par les politiciens qui sont justement prêts à payer le prix mais dont les inter-

ventions ne valorisent souvent malheureusement pas les femmes

Le désespoir est patent et profond mais l'espoir est permis. Pour ce fait, il va falloir encourager et stimuler à travers des subventions supplémentaires ou particulières médias, la promotion du genre. Les médias communautaires qui couvrent généralement les autres zones rurales où résident un nombre important de femmes analphabètes doivent bénéficier des appuis spécifiques pour accroître leur portée au grand bonheur des usagers en occurrence des femmes.

Les organisations de la société civile doivent aussi bénéficier d'accompagnements financier et technique pour l'intégration du genre dans leurs activités médiatiques afin de réduire les injustices observées quant à la promotion du genre pour amorcer le développement socio-économique tant attendu. Vivement. ■

Notes

1. La Déclaration Universelles des Droits de l'Homme; la Convention sur l'Élimination de toutes les Formes de Discrimination à l'Égard des Femmes, ratifié en 1992; la Convention N°111 concernant la discrimination en matière d'emploi et de profession, ratifié en 1961; la Convention N°100 sur l'égalité de rémunération entre la main d'œuvre masculine et la main d'œuvre féminine pour un travail de valeur égale, ratifié en 1968.
2. La Loi N° 2002- 07 du 24 août 2004 portant Code des personnes et de la famille (CPF) ; la loi n°2006 -19 du 05 Septembre 2006 portant répression du harcèlement sexuel et protection des victimes en République du Bénin.
3. Ministère de la Famille, des Affaires Sociales, de la Solidarité Nationale, des Handicapés et des Personnes du Troisième Age, 2011.

Journaliste de profession et Psychologue de la vie sociale et professionnelle de formation, Jean Sèlovè Aguegue est aussi Ingénieur en Gouvernance locale, Genre et Développement Durable. Directeur Général de l'Agence « Bonne Nouvelle Communication », il est le Directeur de Publication du Journal Bonne Nouvelle. Ancien Chef Département Radio de l'Union des Professionnels des Médias du Bénin, il a été Chef Cellule Communication du Ministère de la Réforme Administrative et Institutionnelle et a occupé le même poste au Ministère en charge de la Fonction Publique.

Communication rights help empower migrants

Asia Pacific Mission for Migrants

Freedom. Democracy. Justice. These are a few concepts that many migrants feel are alien once they land in a country that is not their own. A feeling of insecurity sets in as they navigate their immediate surroundings while trying to understand and adjust to a new culture, language and life.

At first the absence of these concepts does not matter as they – migrant workers, new immigrants or asylum seekers – are geared towards achieving their first goal: survival. But along the way, they will figure out the limited space in which they can move, the laws that they thought would protect but instead work to their disadvantage, the lack of recourse when they become distressed.

The Asia Pacific Mission for Migrants (APMM) focuses its energies on creating spaces for migrants to become re-acquainted with these concepts. We partner with migrant-serving institutions, migrants' rights advocates and, most importantly, the grassroots migrants themselves in developing and conducting campaigns, activities and various initiatives that will be beneficial primarily to migrants as well as for all.

Understanding communication rights

In the attempt to empower migrants, recognizing and promoting communication rights of migrants is crucial. What are communication rights? How do the promotion, recognition and protection of migrants' rights contribute to the greater involvement and participation of migrants in shaping the society, both the country they currently live in as well as their respective home countries?

The simple right to communicate is differ-

ent from communication rights. According to the [Centre for Communication Rights](#):

“Communication rights go beyond freedom of opinion and expression to include areas such as democratic media governance, media ownership and control, cultural diversity, linguistic rights, and the right to education, privacy, peaceful assembly, and self-determination. These are matters of inclusion and exclusion, of accessibility and affordability. In short, they are questions of human dignity.”

By this definition, one understands the reality by which individual and collective rights of peoples are restricted and/or violated despite the existence of international conventions and laws that should ensure the protection of those rights.

In our work with migrants, we know this reality is true. While migrants are allowed to enter a country, their freedoms as well as their rights are limited. Migrant-related laws do not offer protection but rather make migrants more vulnerable to abuse, harm and exploitation. Places of refuge are scarce and a culture of discrimination and racism is fanned and promoted quite systematically.

Promoting the communication rights of migrants

The APMM has been resilient in promoting the communication rights of migrants. In cooperation with the World Association for Christian Communication (WACC), we have launched campaigns and activities that actively engaged grassroots migrants, migrants’ rights advocates and service providers on the significance of communication rights in the overall campaign for the recognition, upholding and protection of the rights, welfare and dignity of migrants and their families.

When we conducted the Asia Pacific Conference on Alternative Radio Journalism and the Advancement of Migrants’ Rights and Welfare in Hong Kong in June 2012, we gathered 60 grassroots migrants, media practitioners, migrant service providers and social activists from NGOs and

faith-based communities from ten countries and country regions to share experiences on migrants’ rights advocacy through alternative radio journalism and explore ways to utilize alternative media for the promotion of rights and welfare of migrants.

It was a fruitful two-day conference that resulted in a relatively comprehensive view of the current conditions of those working in alternative media and how similar their situation is to that of migrant workers. Media repression and censorship are just as cruel as repression and violation of rights of migrants, yet both sectors continue to struggle against these barriers and steadfastly stand their ground.

The conference produced outcomes that all participants pledged to accomplish and work on in cooperation with one another. They included: 1) creation of online connections such as e-groups to ensure continued communication among participants; 2) development of a loose network of media practitioners, both mainstream and alternative, migrant leaders, and social activists to facilitate the achievement of set goals as well as communication should new initiatives come up; and 3) conducting campaign plans focusing on specific migrant concerns, such as migrants in jail, undocumented migrants, death row, debt bondage, among others.

It is very interesting and inspiring to note that, as of this writing, this cooperation continues to exist. The conference created the opportunity for migrants to establish connections and relations with other sections of society, which not only won them allies in their cause but also enabled them to re-acquaint themselves with skills and knowledge that may have lain dormant and that have now become crucial in their organizing, advocacy and campaign work. The conference also helped APMM to develop its skills in radio broadcasting.

During the time of the conference, the APMM actively participated in a digital radio program that not only focused on migrants’ concerns but involved migrants themselves in the planning and execution stages. Migrants were not only listeners to the digital radio program/s but became radio anchors and even took part in planning each

program segment, including choosing songs. The digital radio programs involved both Filipino and Indonesian migrants albeit there was a short-lived radio program allocated each to Thai and Nepali migrants. Sadly, the company that started the digital radio program and with which APMM partnered recently decided to close.

Nonetheless, we in APMM and the migrants learned a lot from this experience. We saw the value of grabbing every opportunity for migrants not only to know about their communication rights but to practice them as well. From conferences we organize to actual radio programs and media endeavours where migrants can actively participate, this adds to the empowerment of migrants.

Other initiatives we undertook in promoting communication rights of and for migrants included encouraging them to write their life stories (to be published in books and circulated publicly), creating a campaign toolkit for foreign domestic workers (in terms of promoting their rights in the frame of promoting the ILO Convention on Domestic Workers), conducting regional and local workshops on citizen journalism, and currently, making downloadable audio files on migrants' concerns.

Communication rights lead to comprehensive rights

Migrants remain at the core of our activities. They are and continue to be our partners, beneficiaries and major stakeholders. How, then, do we measure the extent and breadth of our initiatives in relation to the attainment of the overall political, social and cultural rights of migrants?

For those who don't know her, Erwiana Sulistyansih is an Indonesian domestic worker who suffered through seven months of physical abuse and labour exploitation at the hands of her Hong Kong employer before being sent back to Indonesia. The picture taken of her by a fellow Indonesian domestic worker who then posted this photo on social networks went viral online causing migrant organizations and service institutions in Hong Kong to take up her case.

As the photo provoked sympathy and out-

rage over the cruelty that Erwiana experienced, it also led to a concerted effort on the part of grassroots migrant workers' organizations of Indonesians and of various nationalities, migrant-serving institutions, regional migrant platforms like the APMM as well as human rights organizations, lawyers' groups and other advocates in Indonesia to give Erwiana the justice she rightly deserves.

These groups included the Indonesian Migrant Workers' Union (IMWU-HK), Asosiasi Buruh Migran Indonesia (ATKI-HK), Mission for Migrant Workers (MFMW) and the United Filipinos in Hong Kong (UNIFIL-HK), all of whom attended the 2012 alternative radio journalism conference and were at that time actively engaged in their respective digital radio programs.

In cooperation with other groups and institutions in Hong Kong, they formed the Justice for Erwiana, Justice for All Migrant Domestic Workers campaign, a loose network focusing on bringing Erwiana's employer to court and for Erwiana to seek justice.

The campaign they developed was both online and offline, both inside and outside the court. They created a Facebook page and welcomed organizations and individuals who wanted to participate in the campaign. They popularized hashtags as well as slogans that could be used on social networks as well as in protest actions and demonstrations that they were initiating. As soon as it went online, the campaign attracted international attention and support.

Indifference and apathy in Hong Kong were replaced by a growing number of people in Hong Kong, both migrant and local, and in other parts of the world joining in what has since become an international call to give justice to Erwiana. Any ordinary citizen, by what they see online, could identify themselves with Erwiana and understand the importance of their involvement in the campaign. And the rest, as we say, is history.

After winning her case, Erwiana decided not to go home quietly. She committed to pursuing her education in order to help fellow migrant workers. As she does this, she continues to be involved in the migrant movement both in Indonesia and in Hong Kong. She keeps in constant touch with us



Members of a support group for Erwiana Sulistyaningsih, an Indonesian maid allegedly tortured by her Hong Kong employer, rally in her support at the court of justice in Hong Kong, April 29, 2014. (Photo: SBS World News.)

and her friends in Hong Kong and has participated in many of APMM's activities, the most recent of which were the Regional Migrants' Workshop on Citizen Journalism and Digital Technology (held in Malaysia in April 2015) and the Churches Witnessing With Migrants (CWWM) Conference as part of a parallel event to the Global Forum on Migration and Development (GFMD) (held in Istanbul in October 2015).

It is very empowering for us in APMM to see how one victim is transformed into a defender of human rights and an active participant in effecting change in society. Though this could be perceived as coming full circle, for us it is an endless upward spiral of empowerment. Erwiana will lead to more empowered individuals who can contribute more effectively and engage without fear in society.

Continued efforts to pursue communication rights for migrants and untiring cooperation initiatives with migrants themselves will multiply from a small number of migrants with know-how, appreciation and practice of communication

rights to hundreds and thousands of empowered, engaged and involved migrants.

By putting communication rights within a campaign framework, we are able to sustain activity after activity and build on their strengths, weaknesses and lessons so that we can do better in future. And in all these initiatives, migrants remain at the centre. ■

The Asia Pacific Mission for Migrants is a regional migrant campaign centre working on migrants' concerns and advocacies. Established in 1984, the APMM cooperates with grassroots migrant organizations, migrants' rights advocates, service providers and other sectors through research initiatives, conferences and workshops, lobbying and advocacy at various levels, to help empower migrants and create opportunities for them to engage and participate actively in society. The APMM is currently based in Hong Kong and has country coordinators in Taiwan, South Korea, Japan, Australia and the Middle East. For more information, visit: <http://www.apmigrants.org>.

Communication rights in theory and practice

Comunicación y Ciudadanía

A good entry point for newcomers to the idea of communication rights is to bounce it against the idea of freedom of expression.

Most people believe they understand the basic of freedom of expression. It also ranks among the sacrosanct foundation stones of all human rights. It is contained in numerous international Treaties, Conventions and agreements, and enshrined, in varying formulations, in virtually national constitution and legislation. The most frequently cited reference point is to Article 19 of the Universal Declaration of Human Rights, endorsed by every member of the United Nations:

“Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

One of its strengths is that it seems clear and transparent, something that all of us can understand: The meek and the mighty, each with identical freedom to seek receive and impart information? But is it really that simple? Is it enough?

How real is freedom to seek and receive information if our governments insist on meeting in secret? If Freedom of Information acts are too restrictive? If you have no right to participate in government debate? If we do not have access to a basic means of receiving such as the internet? If a few media voices are allowed to gain dominance, and they choose not to rock the boat; if the media have a mutual interest with politicians or big business; if they prioritise profit over people; will they use their voice equally for everyone? For that matter, if students cannot afford the mon-

opoly prices charged for books and journals that are tightly controlled under digital rights management?

How real is freedom to impart if the ‘official’ language is not your mother tongue? If prejudice and racism stop others from listening? If you cannot gather together collectively and demonstrate publicly your views? If you cannot communicate privately together, without fear of surveillance? If the information you impart is used for purposes other than those intended? Is a homeless person highlighting the injustice of it really likely to have his or her voice heard? They can shout, but will it make a difference (apart from being arrested)?

A society of varying levels of access

A problem with the idea of freedom of expression is that there are those who would take it on its own, in isolation. While they lay claim to its inspiring and essential ideal, this version in fact only supports a very narrow reality. And it is this version that I want to target here, and use to fill out the concept of CR. (not a swipe at Article 19, the NGO). Because in practice, it is this version that is being pushed on us in the neo-liberal agenda.

This version of freedom of expression is based conceptually on a group of communicating individuals, each with an equal right to conceive, impart and receive ideas from others and thereby to rationally arrive at decisions of mutual benefit – a great ideal. But the trouble is that we do not live as a group of equally empowered individuals. We live in a society in which most communication between people is heavily mediated and filtered, with mass media, governments, commercial corporations, special interest groups and many others all vying for attention, seeking to influence and control the content and flow of communications.

We also live in a society of hugely varying levels of access to power.

Freedom of expression, alone, can do little to limit domination of the loudest voices, i.e. media owners, the powerful. While a homeless person seeking to highlight injustice and a powerful media mogul each have, before the law, precisely the same protection for their right to freely express their views, in practice the former lacks a



Mexican students protest in 2015. "We demand transparent media - like this banner." Photo: #YoSoy132.

means to have her/his voice heard while the latter can powerfully amplify his/her message and ensure it is widely heard.

Thus a key challenge for freedom of expression is the conceptual shift from the idea of a group of individuals debating, to a complex and variegated society with heavily mediated communication and various and differential configurations of power.

A goal of the concept of "communication rights" is to help in that shift. Tackling the yawning gap between the ideal of freedom of expression and its narrow expression in law requires an additional set of instruments. Supporters of communications rights must uphold the idea of freedom of expression. But we also recognise that we must go much further if we are to articulate, let alone secure, communication rights for all.

What are these rights?

Communication rights are premised not only on "holding opinions" and "seeking, receiving and imparting information", all of which are rights of a single individual or entity, but also on communicating, that is on the completion of an inter-

action between people. They seek to bring about a cycle that includes not only seeking, receiving and imparting, but also listening and being heard, understanding, learning, creating and responding.

The idea of communication rights maintains that freedom to interact with others is ultimately about generating a cycle of communication, from which learning, understanding and cooperation may ensue. But how is that cycle ensured? It is not possible to force others to listen, or to learn. Rather we must consider the conditions under which this positive cycle of communication can come about?

In fact, international law already recognises most of the conditions required for such a cycle. These include:

- * Right to assembly and public demonstration;
- * Right to privacy and freedom from surveillance;
- * Right to participate on one's own culture, and use one's mother tongue;
- * Right to a diverse and plural media;
- * Right to access and develop one's own media;
- * Right to self-determination and to take part in

government;

- * Right to receive information that affects you and are of public interest;
- * Right to education;
- * Right to enjoy the benefits of creative and scientific progress.

All of these have at least one dimension that bears strongly on the possibility of the ideal of freedom of expression becoming a reality. Most are already contained in international law. Together, they make up a clear set of communication rights, and can lead to the full flowering of freedom of expression, i.e. to a right to communicate.

These conditions help break down barriers between people; reduce distortion and contamination of knowledge; provide enabling mechanisms and enhance self-determination; and nurture an environment of tolerance and self-respect. They do not oblige people to listen and learn from each other. But they create the social conditions in which this is more likely to happen. As such, the right to communicate is more than the sum of its parts.

Do recent dynamics justify the use of the concept of communication rights, as distinct from a focus on freedom of expression? Yes, and there are a number of very worrying trends. While government control of media globally has fallen in recent decades giving rise to a multiplicity of information sources, it has not yielded a corresponding increase in the diversity of content and genuine plurality of independent sources. Rather, commercialisation of media has narrowed the menu of content significantly and the resource devoted to key aspects of media; while concentration of ownership had greatly reduced the number of independent sources (the narrow version of freedom of expression is actually compatible with this.)

Together, these dynamics hugely influence each step of the communication process in society. Earlier, the process of communication and interaction was illustrated to highlight interactions and dialogue between people. At the level of society, it was noted, communication may be seen as a cycle of interactivity through which key elements

of society relate to each other, completing a process of knowledge generation, mutual exchange and learning, and potentially enhancing the social well-being of all. As with individuals, the process constitutes a series of “moments” in a cycle that runs through creativity, communication, access, interaction, mutual understanding and learning, and on to further creativity.

Process of social communication

Knowledge creation and recreation (which in practice occurs all through society) is potentially an activity for everyone, whether devoted to material production, to cultural and artistic endeavour, or to building social and political institutions. Dissemination and distribution is through mass media, publishing, the internet and a variety of other means. These act as gatekeepers and filters denying or permitting access to knowledge. However, gaining access to this dissemination process is a distinct requirement, as is the capacity to use such knowledge effectively to achieve goals.

Knowledge passing through this process goes into use, becoming the substance of interaction and communication between people and society in general. Knowledge can broadly be grouped in several interlinked areas: knowledge for the public sphere that underpins the democratic processes and social institutions; for economic activity that supports material existence; and for the vital process of community and individual identity formation, for cultural and artistic endeavour and so forth.

Out of all of this comes what can be termed the process of social learning, the capacity for society to address and resolve problems in the general interest. This in turn feeds back into, and hopefully further enhances and reinforces, the creative process of knowledge generation.

In a positive cycle, all of society benefits through more fertile and widespread creativity, broader distribution and deeper interactivity, and more profound levels of mutual understanding and social learning, and these feed into more democratic social institutions, sustainable economic activity and a diverse and rich cultural life.

Of course, this is highly schematic and sim-

plistic. Creativity, knowledge and learning are involved at every stage and cannot be functionally isolated out. Media are integrally involved in the public sphere, in culture and so forth. However, splitting the process into these “moments” enables us to distinguish more clearly the impact of the dynamics outlined earlier on the social communication process.

Such impacts include: the process of knowledge creation is deeply influenced by the regime of knowledge ownership; excessive concentration of knowledge ownership in corporate hands, with extremely powerful means of copyright enforcement, has a major influence on the distribution of social incentives for creativity in society. (The “culture industries”, for instance, hugely reward only a few artists and largely ignore the rest; investment is channelled only towards commercially profitable activities; and audiences are targeted according to their profit maximisation potential.)

Excessive concentration of media ownership can have a somewhat similar impact. Resources are directed towards journalism and content production that maximises profits; media concentration can generate specific distortions in information reaching the public sphere, biased towards media owners and corporate capital generally. Commercialisation of media can lead to many being priced out of access to media; and coupled with advertising, generate a strong bias towards untrammelled individualist consumerism in the cultural and economic spheres.

Liberalisation and privatisation in telecommunications, if driven solely by commercial interests, can seriously limit access to electronic sources of information and means of communication. The erosion of civil rights in the emerging digital environment can inhibit dissemination of electronic material through censorship and limit interaction in the public sphere.

Impoverishing rather than enriching

These trends can fundamentally shape the outcomes of social communication and who benefits from it, through controlling the creation and ownership of knowledge, the processes and media of dissemination and communication, and its use

to reach political, economic and social goals. The immediate danger is that each moment in the cycle becomes harnessed to the needs of capital and the market. The source of creativity becomes polluted, and the flow of knowledge is interrupted at various point in the process, the fruits of creativity diverted to feed ever more powerful and wealthy corporate interests. It is a gradual hollowing out of social communication, much of its value side-tracked and stockpiled in ever more bloated corporate coffers.

The ultimate danger is that the cycle of society’s social communication processes is interrupted, the process of social learning becomes ever more feeble, and in the end the process of creativity is transformed and reduced to short-term, unsustainable, generation of profits to benefit a small minority. Before too long, society may find itself having virtually lost the capacity for creativity, for an inclusive and equitable sharing of knowledge, for democratic participation in political structures, for diverse cultural expression and expression of identity, and even the capacity to learn from past and present generations.

Communication rights, as a concept and as practice, potentially have the depth and breadth needed to tackle these dangers. ■

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Confianza y realidad

Carlos A. Valle

Poder contar con un buen margen de confianza permite que la comunicación llegue a ser aceptada como creíble.

La confianza hace más laxos los requerimientos de verosimilitud, los que no siempre se requieren de manera explícita sino más bien se dan por sentados.

La confianza se convierte en un presupuesto de las relaciones a diversos niveles. Cuando uno hace un acuerdo establece un compromiso. Ambas partes esperan, si lo hicieron de buena fe, que la otra parte lo cumpla. De las relaciones personales se puede pasar a las relaciones sociales y estadios más amplios y complejos como son las relaciones internacionales. Este a priori no necesariamente funciona sin tropiezos. Las trampas urdidas a la sombra de un acuerdo emergen con frecuencia y en formas cada vez más sofisticadas.

Los presupuestos sobre los que se basan las opiniones respecto a países, personalidades y medios, tienen una historia tejida en parte sobre hechos a los que se han adosado interpretaciones intencionadas, ignorancia de ciertos sucesos, acentuación de situaciones menores, ininterrumpida presencia de personas o realidades que se quieran imponer. Este trasfondo que se va sementado como realidad incontrastable se convierte en el principal materia prima con el que se forman las opiniones, las que alejadas de toda racionalidad o cuestionamiento son la base de confianza con

que cuentan los que deciden cuál es la verdadera historia.

El desarrollo tecnológico que se produce prematuramente en el siglo XX, siempre es bueno recordarlo, no solo ha ido afianzado el poder de los países centrales sino ha permitido la incesante y creciente concentración de recursos económicos. Esta nueva realidad que iba creciendo aceleradamente en esos países va a brindar la oportunidad para que la comunicación se convierta en un fuerte aliado para estimular la confianza de la gente como camino para diseñar la sociedad y la vida de los seres humanos.

Una breve mirada a algunos hechos históricos ayudan a comprender un proceso que, en esos primeros años del siglo XX, comenzaba a desarrollarse de una manera creciente. No resultará difícil trazar paralelismos con otras situaciones que nos permitan esclarecer la historia reciente.

A partir de esa época, la producción en masa se había convertido en una realidad. Al racionalismo industrial aplicado por Frederick W. Taylor a la organización de los trabajadores para la producción en masa, le siguió el sueño cumplido de Henry Ford, de producir “un auto para la gran multitud” (foto abajo). Su técnica se asentaba en dos elementos básicos: un sistema de transmisión y la limitación de cada trabajador a la repetición continua de una sola tarea. Una técnica que requería planificación y sincronización.



En pocos años, desde 1909 en que se comenzó a fabricar el primer auto, el precio de cada automóvil se había reducido en un tercio. Los EE.UU. habían experimentado el mayor crecimiento de todo el mundo capitalista: entre 1921 y 1929 habían logrado duplicar su producción y de la producción mundial concentrar el 44%. El éxito económico y las ofertas de trabajo, tuvieron más repercusión que la reacción a los efectos que la aplicación de esa tecnología producía en los obreros que trabajaban bajo ese sistema.

El notable crecimiento económico hizo pensar a economistas y dirigentes políticos que se iniciaba una nueva era para el capitalismo, libre de las bruscas crisis cíclicas que solían azotarlo. Esta confianza se tradujo en la compra masiva de acciones de las empresas industriales. Los capitales de todo el mundo fluían hacia la Bolsa de Valores de New York. La compra casi desenfrenada de acciones entre 1927 y 1929 creció un 89%. Sin embargo, la producción industrial sólo había crecido un 13%.



Aunque la especulación financiera permitía ganar mucho dinero en poco tiempo, el precio de las acciones estaba muy por encima del crecimiento real de las empresas. Este desfase fue uno de los factores que preanunciaron la crisis que desembocó en la estrepitosa caída de la bolsa de Wall Street y la crisis generalizada de la economía estadounidense. Casi un 25% de los obreros industriales habían perdido sus trabajos y los salarios se habían depreciado alrededor de un 60%.

Las primeras décadas del siglo XX ven surgir, junto con el desarrollo industrial, el desarrollo de la incipiente industria cinematográfica que alcanza una inusitada popularidad. La necesidad de entretenimiento en un clima de largas y cargadas jornadas laborales era creciente. El desarrollo del cine mudo alcanza a grandes masas que no requerían de mayor capacitación para gozar de obras que hablaban de su propio entorno. Lamentablemente muchas de esas obras se han perdido. Por un lado, por la desidia de las productoras para su debida preservación como por el material que, en base al nitrato, era altamente inflamable y susceptible de rápida combustión.

De todas maneras la historia del cine ha recogido un número considerable de obras que reflejaban la situación social de aquel momento. El historiador cinematográfico Kevin Brown en su obra *Behind the Mask of Innocence* (Detrás de la máscara de inocencia) devela la imagen que presenta el mundo de principios de siglo que "... ha llevado a la gente a asumir que la vida fue apacible, más gentil y civilizada." Pero la era del cine mudo, según Brown registra otro mundo, el de la corrupción política, la esclavitud de los trabajadores, la explotación de los inmigrantes entre otros muchos males sociales.

Esta cruda realidad era ignorada por los poderes económicos. Por ejemplo, una huelga era considerada por un empleador antes que una legítima expresión de reclamo de justicia una declaración de guerra civil. El presidente de un ferrocarril escribió: "Los derechos y los intereses de los trabajadores estarán protegidos y cuidados no por los agitadores laborales, sino por el caballero cristiano a quien Dios le ha dado el control de los derechos de propiedad del país" (Brown, 463)

Cuando en 1936, Charles Chaplin estrena su filme "Tiempos modernos" (foto a la página anterior), los EE.UU. estaban atravesando los primeros años posteriores a la "gran depresión" que, desde 1929, azotaba los mercados y, en consecuencia, las industrias. Chaplin describe la deshumanización de las fábricas y sus sistemas de producción en serie. Charlot, un obrero de una de estas fábricas cuyo trabajo consiste en apretar tornillos en una cinta móvil, sufre las consecuencias de este proceso de deshumanización.

El filme destaca los desbarajustes producidos entre la máquina, que sigue su ritmo incesante, y la lucha del ser humano por librarse de la rutina que lo aliena. No resulta un dato menor que ésta fue la última película no sonora de Chaplin. En la crítica publicada después de su estreno, el *New York Post* no alcanzó o no quiso a percibir su denuncia: "Su tema no es tanto una fustigante sátira contra la era del maquinismo como un recurso para utilizar la máquina para explorar nuevas posibilidades para la comedia..."

Cuando el poder se convierte en el bien supremo todo otro valor queda relegado o ignorado. Todo se sujeta a los "bienes supremos" de la defensa y la protección del voraz poder político y económico donde las reglas establecidas de antemano se han tornado inamovibles.

Las posibilidades tecnológicas han mostrado que pueden proveer una sólida base para manipular la comunicación. No necesitan hacer explícito su mensaje, sino llevarnos a aceptar su poder como una fuerza valiosa y la inevitabilidad de los efectos que puede producirnos. Seguramente esta es una importante conquista en el proceso de domesticación, aceptar que las reglas que se imponen son las únicas posibles.

Escribiendo acerca del lenguaje de la manipulación, Armand Mattelart afirma: "El mensaje-mercancía que el producto depara al consumidor viene sellado. Es un producto salido del proceso de producción y, según indica su etimología, consumado, acabado, 'perfecto'. Por cierto, se trata de un producto que puede transitar por todas las gamas y versiones que cruzan entre paternalismo y autoritarismo: sugiere, insinúa o impone, pero siempre esquivo la participación del

usuario y determina el modo único de recibir."

¿Hasta qué punto nuestras sociedades se han dejado llevar por un determinismo preestablecido que ha permitido que sus vidas sean decididas por ocultas fuerzas que le incitan a la pasividad? Pero, al mismo tiempo, ¿hasta qué punto el deslumbramiento producido por la prédica de un futuro plagado de quimeras de vida desbordada de bienes no ha sido una valiosa arma para consumir el dominio y ejercer el poder sobre la gran mayoría?

Responder afirmativamente a estas preguntas sería ignorar que es posible detectar en cada sociedad sometida, y en las luchas por la supervivencia, destellos de esperanza que van más allá de las conquistas materiales. Destellos que se traducen en lucha y lucha que se traduce en vida. Es un hondo rechazo a la resignación, a vivir masificado y alienado.

Se ha preguntado con insistencia sino debiéramos comenzar a considerar con mayor seriedad las contradicciones del mismo sistema en el que estamos inmersos. En el mismo mensaje del status quo, de la resignación y el consumismo, hay un germen que genera la pregunta del por qué y preanuncia la necesidad del cambio.

Como lo afirmaba un grupo latinoamericano de comunicadores: "Podemos revitalizar nuestros compromisos y nuestra fe, denunciando la mentira y fundando, creativamente, las bases de un futuro más humano. Para eso debemos planificar acciones que engrandezcan la vida de todos." ■

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