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*Economic, social and cultural rights
and the internet*



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Economic, social and cultural rights and the internet

Coordinating committee

Anriette Esterhuysen (APC)

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Flavia Fascendini (APC)

Karen Banks (APC)

Project coordinator

Roxana Bassi (APC)

Editor

Alan Finlay

Assistant editor, publication production

Lori Nordstrom (APC)

Proofreading

Valerie Dee

Lori Nordstrom

Graphic design

Monocromo

info@monocromo.com.uy

Phone: +598 2400 1685

Cover illustration

Matías Bervejillo

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COLOMBIA

THE ROLE OF ICTS IN THE COLOMBIAN PEACE PROCESS



KEYWORDS: ICTs, all rights, vulnerable groups

Colnodo¹

Olga Paz Martínez

www.colnodo.org.co

Background to the armed conflict and peace agreement

Colombia has endured a long armed conflict against the Armed Revolutionary Forces of Colombia – People’s Army (FARC-EP). This is a guerrilla group formed in 1964 by peasant members of communist armed self-defence groups who resisted the military attacks during what was called *La Violencia* (armed clashes between the Liberal and Conservative parties). In Colombian history there have been other guerrilla groups such as the *Movimiento 19 de abril* (M-19), the National Liberation Army (ELN) and the Popular Liberation Army (EPL). After 16 years of armed fighting and peace negotiations with the government, M-19 surrendered their weapons on 8 March 1990. Soon after, they created a party called Democratic Alliance M-19 to participate in politics. The M-19 ex-combatants have had elected officials in key positions. In the last decades the armed conflict has worsened due to the creation of extreme-right-wing armed groups (paramilitaries) and drug trafficking.

In the 1980s and 1990s, peace negotiations were held with FARC on two occasions without success.² Although since 2010 the government has been holding private conversations with FARC, it was only in September 2012 that President Juan Manuel Santos (2010-2014 and 2014-2018) announced renewed negotiations with FARC, which began in November 2012 and ended four years later, on 23 August 2016, with an agreement. On 29 August 2016 the ceasefire began. The same day the Congress approved the agreement, and on 26 September a ceremonial signing of the agreement took place in the presence of the UN Secretary-General and more than 15

heads of state. On 2 October a national referendum will be held to verify if Colombians approve of the agreement.³

The responsibility of Colombians will be greater than just casting their vote in the national referendum. If the agreement is endorsed, there will be a long process of reparation, reconciliation and social inclusion in order to guarantee a long-lasting peace. This report analyses how information and communications technologies (ICTs) can contribute to this peace process.

Economic, social and cultural rights in Colombia

Colombia has made significant progress in recognising the population’s economic, social and cultural rights (ESCRs). The Political Constitution of 1991⁴ strengthened the foundations for participatory democracy with strategies, resources and mechanisms for Colombians to effectively exercise these rights. This constitution is a body of progressive principles aimed at recognising the rights of disadvantaged groups such as children, women, the youth, the elderly, people with disabilities and ethnic groups who can refer to the constitution to demand affirmative action and ensure the fulfilment of their rights. The constitution recognises the right to social security regarding access to health, a pension, a healthy environment, decent housing, leisure, sports and free time. It also recognises the rights to education, access to culture, the protection of cultural heritage, the right to work, the ownership of land and the development of agriculture.

Regarding international agreements and treaties, the International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted by the UN in 1966, was ratified by Colombia on 29 October 1969. Colombia also recognises the American Convention on Human Rights, the Convention on the Rights of

1 With the contributions of Julian Casasbuenas, executive director; Ariel Barbosa, technology projects director; Marcya Hernández, ICT appropriation coordinator; and Linda Patiño, communications associate.

2 Refers to the governmental negotiations of President Belisario Betancur (1982-1986) that ended in 1984 and the negotiations begun by Andrés Pastrana (1998-2002) which ended in 2002.

3 This report was written ahead of the national referendum that resulted in a “No” vote against the peace agreement. Since then the country has been in limbo, and discussions have been held between the government and those who voted against the agreement. There have been massive peaceful demonstrations in different cities which have included the participation of youth, women, peasants and victims of the war, among others.

4 www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia%20-%20202015.pdf

the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

It is important to remember that all the international treaties and conventions ratified by Colombia must be enshrined in the country's constitution and legislative framework.⁵

The peace-building process

The end of the conflict and the building of a long-lasting peace face key challenges regarding the ESCRs of Colombians.⁶ The issues that have a direct impact on women, the victims and the rural population are described below.

One of the most relevant aspects of the agreement is the inclusion of a gender perspective and women's rights. This was the achievement of the feminist and women's movements⁷ in Colombia, which lobbied hard for the creation of a Gender Subcommittee in order for the voices of women to be heard; it was established in September 2014.

Among the proposals that benefit women are the following:

- Rural reform will be strengthened, including the development of agricultural activities to improve the productivity and living conditions of women in the rural areas; access to land and land ownership for women and lesbian, gay, bisexual, transgender and intersex (LGBTI) people will be formalised; women's health, including reproductive and sexual health, will be promoted; the fulfilment of the ESCRs of women and LGBTI people in rural areas will be strengthened generally, including balancing the earning gap between urban and rural areas.
- In the political participation section, the agreement includes the promotion of women's participation in public and political life; the protection of women leaders, activists, human rights defenders and their families; the strengthening of women's organisations, youth organisations and LGBTI organisations; and clauses dealing with the non-stigmatisation of people because of their sexual orientation. In

terms of women's political participation, including their participation in decision making and conflict resolution, Law 581 of 2000, known as the Quotas Law, states that at least 30% of management positions in the public sector should be for women. According to the government's annual report for 2015, this goal has been accomplished (38% of these positions are held by women).⁸

- With regard to the guarantee of the rights of women survivors of violence during the armed conflict, included in a section on truth, justice and reparation, the Gender Subcommittee will analyse the ways the armed conflict has had an impact on women's lives. The Jurisdiction for Peace, Investigation and Indictment Unit will consider cases of sexual violence.
- On the issue of illicit drugs, the agreement considers the situation of women, and seeks alternatives to growing crops for the drug trade. The specific issues affecting women in the drug production chain will be tackled. Women will be included in the planning and implementation of crop substitution programmes, and equipped with the technical and financial skills necessary to strengthen their participation.

The agreement recognises the rights of the victims of the conflict through granting them the right to truth, justice and reparation, and guaranteeing that they will not have to endure civil war again. This is one of the central topics of the negotiations and perhaps the one with the greatest impact, considering that Colombia has more than seven million victims; that is to say, 15% of the population. The "truth" is enshrined as a victim's right in order to enable the reconstruction of the social fabric and to contribute to reconciliation and living in peace. The reparation for victims and survivors is already happening and includes land restitution, returning to the areas where forced displacement took place, and psychosocial support.

The role of ICTs in building peace

Given this scenario, it is important to analyse the role ICTs play in the promotion of dialogue and the achievement of a long-lasting peace. Since the internet became widely available in Colombia, there have been initiatives aimed at promoting a peaceful culture, including educational initiatives,

5 Political Constitution of Colombia, Chapter 4 on the protection and enforceability of rights.

6 The full text of the Agreement can be found (in Spanish) at: www.altocomisionadoparalapaz.gov.co/procesos-y-conversaciones/Paginas/Texto-completo-del-Acuerdo-Final-para-la-Terminacion-del-conflicto.aspx

7 See an interview (in Spanish) with Rosa Emilia Salamanca, a recognised activist and human rights defender who promoted the inclusion of a gender perspective in the agreement between the Colombian government and FARC: colombia2020.elespectador.com/politica/por-que-es-tan-importante-el-enfoque-de-genero-en-los-acuerdos-de-paz

8 The Colombian Public Administration Compliance Report 2015 is available (in Spanish) at: <https://www.funcionpublica.gov.co/documents/418537/506925/Informe+Ley+de+Cuotas+Vigencia+2015+Final.pdf/70b242fa-e751-41bf-a2d9-2adf14ecaf24>

knowledge sharing in support of peace-building activities, initiatives that facilitate dialogue between different actors, and the dissemination of inspiring stories that offer a positive vision of the future to people.

One of the pioneer initiatives on the use of digital communication as a way of promoting dialogue is the communication initiative for truth and life run by the Association of Indigenous Councils of Northern Cauca (ACIN).⁹ This initiative, led by the indigenous group Nasa Paez, has used local radio stations, telecentres, mailing lists, social networks and a web portal to share indigenous knowledge and worldviews. It has also set up a communications school for training new leaders.

Other experiences aimed at education and peace are the Educational Alliance for Building a Culture of Peace¹⁰ and the Observatory for Peace.¹¹ The Educational Alliance was formed in 2002 in order to strengthen a culture of peace and democracy, and since then it has shared 300 experiences on its web portal on issues such as human rights, conflict resolution, political education, cultural identity, and job creation. The Observatory for Peace is a social organisation created in 1996 in order to promote dialogue on peace through education, research and knowledge creation, as well as to raise awareness and give a voice to the voiceless. Besides running a portal, they use an online information system for following up on educational content offered to families.¹²

There is a growing recognition of the role of ICTs in the creation of educational opportunities, access to knowledge, citizens' participation, support for productive projects, the strengthening of small businesses, and access to job opportunities. For example, the Farmers Digital Schools (EDC) initiative is present in eight departments in Colombia, offering educational opportunities to the rural population by promoting their social, cultural, digital and economic inclusion. This initiative uses ICTs for educational purposes through online courses.¹³ There is also an Android app that shares information on digital rights based on the Association for Progressive Communications (APC) Internet Rights Charter,¹⁴ and aimed at children between eight and 15 years old.

9 www.nasaacin.org

10 www.educacionparalapaz.org.co

11 www.obserpaz.org

12 Colnodo has supported these initiatives by developing the online portal and the information systems they use.

13 cursos.mundorural.co

14 <https://www.apc.org/en/node/5677>

Two other initiatives that use ICTs to provide skills training for vulnerable groups, including victims of the conflict, are the Escuelas Digitales Campesinas de la Accion Cultural Popular (ACPO)¹⁵ and the JuvenTIC project.¹⁶

JuvenTIC was created in 2015 with Google's support and was coordinated by Colnodo in 2016. It aims to contribute to the peace process and social inclusion by strengthening the knowledge and ICT skills of the young people affected by the conflict who have scarce educational opportunities. The goal is for the young people to have more tools to compete in the job market, to increase their job opportunities and help them create new business start-ups. JuvenTIC is a 120-hour face-to-face virtual course that uses an online learning platform with more than 3,000 learners – most of them from the most affected regions in the conflict.¹⁷

ICTs also have the potential to help implement the agreement given that they can enable the population to act as overseers of the terms of commitment. One initiative already in place is *Dejemos de Matarnos*¹⁸ (Let's Stop Killing Each Other) which includes educational videos explaining the conflict's background and the agreement's content. Another initiative is the campaign *Forjando Paz*¹⁹ (Forging Peace). This campaign aims to build peace by explaining the agreement through different educational and communication tools in order to promote the participation of citizens in the monitoring of the agreement. The Twitter hashtags #Dejemosdematarnos and #ForjandoPaz have been used widely: more than 250,000 accounts are connected to #ForjandoPaz.

The NGO Corporación Viva la Ciudadanía has promoted the initiative *Común Acuerdo*²⁰ (Common Agreement) which aims to raise awareness and encourage dialogue about the agreement, and to foster citizen participation in its implementation. This initiative offers online pedagogies for peace, and videos, audio, documents and other resources produced together with local actors interested

15 The ACPO initiative is recognised in studies on popular education and communication because of its radio station schools, which operated between 1954 and 1978 in different regions in Colombia. This experience was a blueprint for many radio stations in Latin America in education and rural development programmes. For more information (in Spanish) see: www.banrepultural.org/radio-sutatenza.

16 juventic.colnodo.apc.org

17 JuvenTIC has participants from municipalities where the peace agreement has enabled reconciliation and strengthened the social fabric, such as Vigía del Fuerte and San Carlos (Antioquia), Carmen de Atrato (Chocó), Granada (Meta), Campoalegre (Huila), Toribio (Cauca) and Buenaventura (Valle), among others.

18 www.dejemosdematarnos.com

19 www.forjandopaz.com

20 comunacuuerdo.co

in promoting dialogue about the agreement. This initiative uses the hashtag #Nomasviolencia (Nomoreviolence).

Big media houses are also using hashtags to share their opinions and editorial perspectives: #AdiósALaGuerra (GoodbyeToWar) is used by the *El Espectador* newspaper²¹ and #FinDeUnaGuerra (EndOfTheWar) by *El Tiempo* newspaper.²² Both newspapers have national coverage.

In the last few years, instant messaging has also been used to challenge the threats, pamphlets, and other violent content used to silence people. These messages became viral and reached thousands of people. In this way they have helped to strengthen dialogue and citizen participation and helped at least in part to protect citizens from intimidation.

Resources for sharing, remembering, and hearing the unheard voices

In times of war, ICTs have been used to promote hatred and violent content abusing peoples' rights. They have also been used to threaten entire populations. In times of peace, ICTs can contribute to building dialogue, documenting and disseminating peace-building experiences, educating populations, and fighting discriminatory messages.

ICTs have the potential to help recover social memory; to help grieve and to retell our stories so that they are not forgotten, and to slowly heal the old wounds of the 52-year-long conflict. Remembering is an "open process of reinterpretation of the past in which the knots are tied and untied to understand events in a new way."²³ ICTs can help to not overlook and forget the tragic nature of our war. They allow people to share not only survivors' stories, but also the stories of so many in the affected territories who in everyday life are negotiating and reaching agreement with local actors and stakeholders as new terms of social engagement are reached – peace goes beyond the agreement with FARC.

ICTs can also help disseminate discourses that are not reaching a large audience to counteract the dominant hegemonic discourse of the mass media, allowing people to propose alternatives that are not necessarily mediated by political and economic interests. Although these voices reach fewer people, they offer an alternative to the traditional media and have the potential to result in better-informed people.

ICTs are also a way to counteract exclusion: without them we would not have had all the discussions about the agreement, heard the voices of women, of farmers, and of indigenous people; and the voices of the affected territories would not have been heard at the national level. The internet has enabled communities to speak directly and without censorship on different topics.

Action steps: Reaching a sustainable and inclusive peace

One of the challenges faced in using the internet for peace is the digital divide: only 53.5% of Colombians have access to the internet. There is infrastructure in remote rural areas allowing public access to the internet, provided by the Ministry of ICTs,²⁴ local governments and private institutions (Puntos Vive Digital and Kioskos Vive Digital). The challenge is to integrate these spaces so that they become participatory spaces for training and peace-building initiatives.²⁵

ICTs are a vehicle to narrate the stories of women, families, ethnic minorities, small producers and victims of the conflict in new ways, with respect and without commercial interests and sensationalism.

Reconciliation and the reconstruction of the social fabric are part of the agreement with FARC, but this goes beyond an agreement between two parties. A culture of peace needs the involvement of all Colombians in resolving local conflicts; in dealing with polarised positions; in respecting different beliefs, without hating each other, or becoming violent towards someone who thinks differently. ICTs can contribute to harmonious dialogue, to reach understanding and to make visible all the local, inspiring stories where people agree on solutions to conflicts. These stories offer an opportunity to grow instead of a reason to promote violence and division.

The internet also enables access to knowledge for rural populations in order to improve their agricultural activities; access to virtual learning, to jobs and technology-based businesses (the creation of digital content is one of the opportunities where ICTs play a key role). There must be equal opportunities for all of the actors involved in the conflict, including the guerrillas giving up their weapons, who are in a position of great disadvantage regarding their level of technical skills and will need support to re-enter society and avoid digital exclusion.

21 www.elespectador.com.co

22 www.eltiempo.com.co

23 Richard, N. (1998). *Residuos y metáforas: ensayos de crítica cultural sobre el Chile de la transición*. Santiago: Editorial Cuarto Propio.

24 www.mintic.gov.co

25 For more information on the outcomes, indicators and use of ICTs in Colombia see the ICT Industrial Sector Report 2015 produced by the Communications Regulatory Agency (in Spanish): colombiatic.mintic.gov.co/602/articles-15957_archivo_pdf.pdf

Economic, social and cultural rights and the internet

The 45 country reports gathered here illustrate the link between the internet and economic, social and cultural rights (ESCRs). Some of the topics will be familiar to information and communications technology for development (ICT4D) activists: the right to health, education and culture; the socioeconomic empowerment of women using the internet; the inclusion of rural and indigenous communities in the information society; and the use of ICT to combat the marginalisation of local languages. Others deal with relatively new areas of exploration, such as using 3D printing technology to preserve cultural heritage, creating participatory community networks to capture an “inventory of things” that enables socioeconomic rights, crowdfunding rights, or the negative impact of algorithms on calculating social benefits. Workers’ rights receive some attention, as does the use of the internet during natural disasters.

Ten thematic reports frame the country reports. These deal both with overarching concerns when it comes to ESCRs and the internet – such as institutional frameworks and policy considerations – as well as more specific issues that impact on our rights: the legal justification for online education resources, the plight of migrant domestic workers, the use of digital databases to protect traditional knowledge from biopiracy, digital archiving, and the impact of multilateral trade deals on the international human rights framework.

The reports highlight the institutional and country-level possibilities and challenges that civil society faces in using the internet to enable ESCRs. They also suggest that in a number of instances, individuals, groups and communities are using the internet to enact their socioeconomic and cultural rights in the face of disinterest, inaction or censure by the state.

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