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Economic, social and cultural rights and the internet

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Economic, social and cultural rights and the internet

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Introduction

The Peruvian state recognises and protects the right to cultural identity as one of the fundamental rights established by the constitution. In this way it recognises the cultural diversity of citizens cohabiting in its territory.

Language is a cultural artefact, since it not only enables a community or people to communicate with each other, but is also a vehicle for culture, traditions and worldviews. The use of the language and the recognition of its value are then fundamental for exercising the right to identity, and the right to be in a diverse country.

The linguistic reality of Peru is extremely diverse: there are 47 indigenous or native languages which are spoken by 4,045,713 people, or 14.76% of the Peruvian population.[1] However, according to Gerardo García, a language specialist at the Department of Indigenous Languages of the Ministry of Culture,[2] "three are in danger because they are not transmitted to children, and 18 are in critical danger because they are only spoken by older adults." This situation is exacerbated by racism and discrimination in Peruvian society, which is evidenced by research showing, for example, that the groups believed to be most vulnerable to racist attacks are indigenous groups (63% of respondents felt this way),[3] and that the rights to cultural identity of peasant and indigenous communities are not being respected (42% of respondents felt

this way).[4] This discrimination is supported by the misconception that there is a hierarchical relationship between languages, with some having a higher status than others.

The fact that most of the services offered by public or private institutions are not multilingual or are only multilingual in a very limited way impacts negatively on an already adverse context, perpetuating structural social exclusion through linguistic discrimination. The above situation poses challenges when it comes to the protection of and respect for the cultural identity of individuals.

Political and social background

The Peruvian government has signed most of the international human rights treaties and is a member state of the International Covenant on Economic, Social and Cultural Rights (ICESCR). However, Peru has not signed the optional protocol to the covenant of 2013.[5]

In 1993 the Peruvian Congress approved Convention 169 of the International Labour Organization (ILO) on Indigenous and Tribal Peoples in Independent Countries.[6] This international legal instrument obligates signatory states to undertake to develop policies and actions to protect the group rights of indigenous peoples. This includes consulting these groups on matters important to them, the development of their cultural identity, and bilingual education, among others. However, in Peru, these measures were just on paper and did not result in concrete actions.

In 2009 a conflict erupted between indigenous organisations and the Peruvian government, motivated by a series of regulatory measures indirectly affecting their territorial rights and their right to be

1   INEI. (2009). Resultados definitivos de las comunidades indígenas - Censos Nacionales 2007: XI de población y VI de vivienda.

2   Interview conducted for this report. According to the Ministry of Culture, over the last four centuries at least 35 languages have disappeared. See: centroderecursos.cultura.pe/es/FAQ/%C2%BFcu%C3%A1ntas-lenguas-ind%C3%ADgenas-se-hablan-en-el-per%C3%BA

3   According to a 2014 poll conducted by Ipsos Peru. See: elcomercio.pe/lima/ciudad/90-considera-que-si-hay-racismo-peru-noticia-1716249

4   Universidad ESAN. (2013). Encuesta para medir la opinión de la población peruana en relación con los derechos humanos. Ministerio de Justicia y Derechos Humanos. observatorioderechoshumanos.minjus.gob.pe/jmla25/index.php/publicaciones/cat_view/14-publicaciones/178-minjus/223-encuesta-nacional-en-materia-de-derechos-humanos

5   indicators.ohchr.org /

6   www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312314

consulted, in violation of the 1993 ILO convention. This triggered a confrontation – called the *Baguazo* – that left 33 people dead, including civilians and police.[7]

The *Baguazo* marked a milestone in the political and public agenda, as it called into question the way the government dealt with and respected the rights of indigenous peoples. Since then it has become a priority to implement ILO Convention 169 through legislative development, such as the enactment of Law No. 29735, which regulates the use, preservation, development, recovery, promotion and dissemination of indigenous languages in Peru. This resulted in a significant step towards the positive recognition of linguistic diversity by the Peruvian state.

Making indigenous languages visible

The promotion of a citizenship that recognises, respects and engages in a dialogue with people of different cultures, languages and worldviews without stigma or discrimination is one of the biggest challenges that faces the state and society as a whole. While this is a complex question and involves a long-term process to solve, it is clear there is a need to generate initiatives that question and highlight cultural and linguistic diversity.

According to Agustín Panizo,[8] the director of the Department of Indigenous Languages of the Ministry of Culture, the *Baguazo* was the result of a long history of struggle by indigenous peoples' organisations that had been fighting for their cultural rights and trying to bring about social change.

Indigenous organisations have launched different advocacy initiatives; however, many of these have been limited due to low budgets, weak political representation, and a society where linguistic discrimination persists.

In recent years there have been a number of specific initiatives using information and communications technologies (ICTs) that aim to make the linguistic diversity of Peru visible globally.

The first is a public sector initiative called "Mapa Sonoro Estadístico de las Lenguas Indígenas u Originarias"[9] (Statistical Sound Map of Indigenous Languages) which was launched in 2015. This is a virtual platform that allows the user to get a bird's eye view of the linguistic reality in Peru using a map which allows you to find information about which people speak the country's 47 indigenous languages and how these languages sound. This tool is complemented by information on the number of speakers of these languages, and includes contact details for interpreters or translators certified by the Ministry of Culture.

Panizo said that the collection of information had been difficult, especially developing the audio component: "It took over a year to find the audio of indigenous languages for the sound map and they even had to ask foreign researchers and academics for audio from field work conducted in Peru."

The platform aims to reach a diverse audience including school students who have the need to know about or interest in linguistic diversity, and public service managers, among others, who need to hire interpreters for a job. The platform also helps public servants make decisions based on the cultural diversity in their areas of intervention. In this way it becomes a tool for public management.

However, the platform needs to be promoted more. The use of Mapa Sonoro has not been very substantial: it has only received 5,000 visits since 11 March 2015 when it was launched.

Radio Ucamara[10] is part of the Amazon Institute of Social Promotion (IPSA) of the Vicariate of Iquitos. It broadcasts from Nauta, within the buffer zone of the Pacaya-Samiria National Reserve, where the Kukama indigenous people live. The station promotes local culture, including the ancestral wisdom of the people, their understanding of socio-environmental problems, and their reflections on life and their relationship with nature. The work with the memory of communities is critical to Radio Ucamara as this allows people to understand the indigenous situation from the perspective of indigenous people.

In 2012 the station began a project called "Memory and Revitalisation of the Kukama Language" that seeks to respond to the problem of identity and social and racial exclusion that Kukama people in Nauta deal with. Its strategy targets two generations: the elderly, who speak the Kukama language, and children, whose mother tongue is Spanish. According to Leonardo Torres, the director of Radio Ucamara, to let Kukama die as a language is to let part of their culture and worldview die. As part of the project, they decided to make a music video involving local children. However, getting children to participate was the first hurdle, because the children did not want to sing in Kukama. The result was that those who appear in the video are the children of radio staff.[11]

7   larepublica.pe/politica/5305-baguazo-radiografia-de-un-conflicto-sin-culpables-en-su-sexto-aniversario

8   Interview conducted for this report.

9   www.mapasonoro.cultura.pe

10   radio-ucamara.blogspot.pe

11   LeonardoTorres, director of Radio Ucamara.

Kumbarikiria, a video filmed with the support of the organisation Create Your Voice,[12] shows Kukama boys and girls overcoming fear to speak and sing in their ancestral language, learning to understand their grandparents and mixing traditional and modern rhythms. The song tells the story of a buzzard – a bird that is despised – and therefore is a good metaphor for the Kukama language. This video not only attracted the interest of local children but has received much attention at the local, regional, national and international level. The video has been viewed more than half a million times[13] and generated a series of media reports.[14] In addition, the video encouraged children to attend a Kukama school, created visibility for the radio station, and sparked interest in the Kukama language among the general public.

Conclusions

As the Protocol of San Salvador states, the right to participate in cultural and artistic life "includes the right to act freely, to choose your identity, to express yourself in your own language, and to develop and share your knowledge and cultural expressions."[15]

In this regard, before considering how successful the initiatives that were promoted by civil society and the state have been in strengthening the protection of this right, it should be noted that there is a need for structural changes,[16] processes and actions to guarantee the protected rights (for example, intercultural perspectives need to be included in public policies).

It is clear that both the sound map of indigenous languages and the Kumbarikiria video aim to create awareness and recognition of linguistic diversity among the general public. This awareness is educational for people who do not realise the extent of linguistic diversity in the country. The sound map also has the potential to be a useful tool for public services.[17]

In both these cases the internet was used as a practical tool to create this awareness and visibility of indigenous languages and to encourage the public to value and protect the country's cultural heritage.

Moreover, these initiatives help to create a favourable social context for linguistically diverse communities, which in turn has a positive knock-on effect on their welfare as citizens.

The sound map and the video are effective tools for visibility. However, they end up being very limited if they do not lead to the creation of spaces in which processes of dialogue and mutual recognition occur. There is then the challenge of developing more inclusive strategies in which speakers of indigenous languages are spokespersons and partners in these strategies; if not, the Mapa Sonoro will remain a repository of information that is infrequently consulted and Kumbarikiria only an emotional video to watch and share – and the goal of recovering and valuing our country's languages will not be reached.

Action steps

The following action steps are suggested for Peru:

- Develop a communication strategy to broaden the use of the Mapa Sonoro by the general public, civil servants and schools. It is equally important to promote the participation of indigenous communities in the Mapa Sonoro.

- Support non-governmental initiatives such as Kumbarikiria through funding and skills sharing.

- In particular, it is extremely important that the state increase the budget for promoting initiatives like the ones discussed above. They encourage the positive recognition of cultural and linguistic diversity as a way to combat stigma and existing linguistic discrimination.

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12 createyourvoice.org

13 The video is on YouTube and various other platforms, including news sites. The following four sites have a combined total of 500,000 visits (the latter is the "official" site and the least visited of all): https://www.youtube.com/watch?v=O3C-18Nf_Aw, https://www.youtube.com/watch?v=owTwO58qTNk, https://www.youtube.com/watch?v=JxovOS7uePo, https://www.youtube.com/watch?v=Fx4UfVuO7lI

14 For example, Montgomery, D. (2015, 1 July). What Amazon River rap sounds like. *Washington Post*. https://www.washingtonpost.com/news/arts-and-entertainment/wp/2015/07/01/what-does-amazon-river; see also: https://www.youtube.com/watch?v=8nQ8HaOxbDc www.univision.com/noticias/noticias-de-latinoamerica/kumbarikira-la-cancion-con-la-que-ninos-de-peru-buscan-rescatar-la-lengua-kukama, www.actualidadambiental.pe/?p=19824, larepublica.pe/21-09-2014/al-rescate-de-la-lengua-kukama,

15 Secretaria Ejecutiva para el Desarrollo Integral. (2013). Indicadores de Progreso para Medición de Derechos Contemplados en el Protocolo de San Salvador. (Segundo Agrupamiento de derechos).

16 Such as the Prior Consultation Law and the Law on Indigenous Languages.

17 It should be noted that the 2017 National Census will be the first to incorporate an ethno-linguistic variable.

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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