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*Economic, social and cultural rights
and the internet*



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
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Global Information Society Watch 2016

Economic, social and cultural rights and the internet

Coordinating committee

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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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SPAIN

CITIZENSQKM: TRANSFORMING THE SQUARE KILOMETRE THAT SURROUNDS US



KEYWORDS: right to information, science and technology, gender, community networks, information and communication technologies (ICTs)

Pangea

Monica Garriga Miret
<https://pangea.org>

Introduction

CitizenSqKm¹ (*Km2 del Poblenou*) is an experiment which builds a complex communicative ecology using a technological platform and serves as a methodology for community engagement. Several pilot projects have been conducted in Barcelona, aimed at finding out how geolocation technologies and community networks can be used, from local to global levels, to help increase civic engagement.

The initiative involves connecting an online platform with a map to a community telecommunications network.² This allows people to make an inventory of “the things” in their neighbourhood, including institutions, services, historical landmarks and natural surroundings. The information is classified by author, source and topic. This process of “civic reappropriation of data” engages citizens in the development of their own community.

Anyone who has a mobile device connected to the internet can create, collect, process and share massive amounts of data widely, “geolocatedly” and in real time. Having this possibility, now with the ubiquitous attributes of digitised media, citizens can regain ownership over that data, particularly if they can access it through an open, free and neutral community network.³ “Open” means anyone can be a user, connect to the network and understand how it works; “free” means it is unrestricted; and “neutral” refers to content and the technology used – for example, internet service providers (ISPs) should not favour specific kinds of internet traffic over others.

Being empowered to decide on the collection, use and storage of data may involve several economic, social and cultural rights (ESCRs) for citizens, such

as the right to information, food, housing, education, the benefits of science and technology, health, security, cultural life, water and sanitation, and work.

Policy, economic and political background

Even though Spain has been party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) since 1977, the country seems to be regressing when it comes to human rights protection. The 2015 Center for Economic and Social Rights Fact Sheet on Spain concludes that “over the past four years poverty in Spain has increased and inequality has widened as a result of austerity policies. Evidence shown in this factsheet makes clear that the effect of these measures on the economic and social rights of the most vulnerable has been devastating.”⁴

Moreover, Amnesty International states in its report on ESCRs in Spain that they are not sufficiently guaranteed by law, or fully protected by the constitution. State, regional and local authorities should ensure that people can demand these rights and go to court when they are violated. However, there are barriers preventing access to legal resources which would enable people to assert their rights. Amnesty International specifically mentions the rights to health and housing.⁵

Spain’s social crisis, as stated by the report on the *Housing Emergency in Spain* conducted by the Observatorio DESC (Observatory of Economic, Social and Cultural Rights), has had a serious impact on the right to housing, with large numbers of evictions and an increase in debt, since the government promotes ownership and borrowing with unfair terms in mortgages and does not invest in public housing.⁶ This situation led, in 2011, to the anti-austerity movement, 15M, with demonstrations all over the country claiming their socioeconomic rights.⁷

1 CitizenSqKm (www.citizensqkm.net) was a 12-month experiment (May 2014-May 2015) conducted by Itinerarium and IGOPnet, within the European Union project CONFINE (<https://wiki.confine-project.eu>), to research community-owned telecommunications networks. All deliverables are available online: <https://mogams.com/citizensqkm>

2 <https://guiifi.net/en>

3 Byrum, G. (2015). What Are Community Wireless Networks For? *The Journal of Community Informatics*, 11(3).

4 Center for Economic and Social Rights. (2015). *Fact Sheet No. 14: Spain*. cesr.org/downloads/FACTSHEET_Spain_2015_web.pdf

5 Amnesty International. Derechos económicos, sociales y culturales en España. <https://www.es.amnesty.org/en-que-estamos/espana/derechos-economicos-sociales-y-culturales/>

6 Observatorio DESC. (2013). *Housing Emergency in Spain: The crisis of foreclosures and evictions from a human rights perspective*. observatoriodesc.org/sites/default/files/2013-housing-emergency-spain-observatorio-desc.pdf

7 https://en.wikipedia.org/wiki/Anti-austerity_movement_in_Spain

Three years later a new public safety law – *Ley Orgánica 4/2015, de 30 de marzo, de protección de la seguridad ciudadana*,⁸ generally known as the Gag Law – was passed. This law restricts freedom of speech, forbids the use of communication technology (such as streamed video) in demonstrations and protests, and encourages self-censorship among journalists. It has been criticised by Amnesty International, Human Rights Watch and Greenpeace, as well as by Maina Kiai, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association. It has also been questioned in the European Parliament.⁹

Another direct consequence of 15M is the emergence of Spanish “municipalism”¹⁰ in the “rebel cities” of Madrid, Barcelona, Valencia, Zaragoza, Pamplona, Oviedo, Cádiz, Santiago de Compostela and El Ferrol. This involves creating a model of technological “intermunicipalism” where “cities share their technology, tools and platforms.”¹¹ In this new model, the use of communication technology and the collection of relevant data by the citizens themselves are encouraged in order to help them make informed decisions.

What does real access mean?

A wide range of internet access statistics are relevant to the CitizenSqKm initiative, in particular statistics related to the digital divide. The digital divide is an evolving concept. According to the European Parliament, whereas it initially referred exclusively to access to ICTs, it later included “types and levels of internet use, motivation and skills.”¹² In this regard, the Mobile World Capital 2016 report on *The Digital Divide in the City of Barcelona*¹³ states that “the digital divide refers to the inequality between people who have access and knowledge of new technologies and those who do not.” This report measures digital performance in the 28 European Union member

states, Spain being positioned 12th. According to the report, Spain improved its results in 2014, mainly due to an improvement in connectivity. However, it also states that in Barcelona, district income levels linked to gender, age, education and profession have a significant influence on the use of digital technology.

For us, the digital divide is about internet governance, about access to and use of ethical and emancipatory technologies and their conscious adoption. It is about the “participation gap”, as described by Henry Jenkins, and about “access to skills, experiences, and mentorship” rather than merely about connectivity and access to technology.¹⁴ We do not have statistics measuring these variables. The abovementioned report on Barcelona reveals that the most common online activities are email, reading news, and using social networks. However, it does not explore, for example, how much users know about online security, privacy, personal data collection, electronic surveillance, confidentiality, transparency, participation, the environmental impact of using ICTs, or walled garden ecosystems.

The report also indicates there are no gender differences in internet access, but refers exclusively to connectivity and use of technologies. It is widely known, and specifically reflected in the Digital Agenda for Europe, that women are under-represented at all levels in the ICT sector and the number of girls choosing ICT careers is decreasing. “Out of 1,000 women with a bachelor degree in Europe, only 29 hold a degree in ICT (compared to 95 men) whilst only 4 eventually work in the ICT sector,” states a 2013 European Commission report called *Women Active in the ICT Sector*.¹⁵ We identify an important gender dimension in the CitizenSqKm initiative, because generally participation in community networks is mainly male.

Opening the community up to itself

The CitizenSqKm communicative ecology starts with the idea that for citizens to be engaged and informed, and able to transform and enhance their lives, it is not sufficient that public servants, journalists or teachers are the “holders of facts” that are then communicated to the public. Our idea of communication is that it should encourage citizen participation, and that it should influence and help participants to exchange ideas, in this way creating democratic debate. Any

8 Parlamento Español. (2015). Ley Orgánica 4/2015, de 30 de Marzo, de Protección de La Seguridad Ciudadana. https://www.boe.es/diario_boe/txt.php?id=BOE-A-2015-3442

9 European Parliament. (2015, 22 July). Answer to a written question on the Basic Law for the Protection of Public Security Adopted by Spain – E-006056/2015. www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2015-006056&language=EN

10 Gutiérrez, B. (2016). *The open source city as the transnational democratic future*. Transnational Institute. <https://www.tni.org/en/publication/the-open-source-city-as-the-transnational-democratic-future>

11 Ibid.

12 Negreiro, M. (2015). *Briefing: Bridging the Digital Divide in the EU*. [www.europarl.europa.eu/RegData/etudes/BRIE/2015/573884/EPRS_BRI\(2015\)573884_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/573884/EPRS_BRI(2015)573884_EN.pdf)

13 Mobile World Capital Barcelona. (2016). *The Digital Divide in Barcelona*. mobileworldcapital.com/escltexa-digital/download/escltexa-digital_en.pdf

14 Jenkins, H., Ito, M., & boyd, d. (2016). *Participatory Culture in a Networked Era : A conversation on youth, learning, commerce, and politics*. Polity.

15 European Commission, Directorate-General for Communications Networks, Content and Technology. (2013). *Women Active in the ICT Sector*. bookshop.europa.eu/en/women-active-in-the-ict-sector-pbKK0113432

piece of information can be translated into numerical data accessible to computers and, due to its ubiquitous attributes, this digitised material blurs the boundaries between institutional and citizen roles. What was once official information only (coming from public or private sources, and which was pre-digested and interpreted) becomes demystified when citizens regain the power over their own data.

Community networks are designed, structured and organised to guarantee that all benefits and value they generate go to the network users. These networks therefore contribute to the socioeconomic development of the place where they operate. They provide local connectivity, within and among communities, and offer a wide range of services to users that go beyond private sector internet networks. For example, they can provide open and free access to services such as telemedicine services or online education. They also provide access to localised e-commerce sites. Furthermore, when the private system breaks down or is censored, they provide an alternative channel of information. In the age of Spain's Gag Law, this is about awareness of freedom and is more than a mere back-up strategy.

The square kilometre that surrounds us is an excellent learning and living environment, but only when citizens are empowered to transform it. This is why CitizenSqKm encourages participants to conduct a census of the land, its inhabitants, infrastructure, services, history and nature and also to take full advantage of open data coming from public administration portals, such as open government data services, civic organisations, and sensors owned by citizens.¹⁶ The local community actively participates in discovering and improving their neighbourhood by collecting and classifying data related to it and even deciding where to store this information and data. For individuals, this means not only having their rights met, but defining and claiming them as a community.

CitizenSqKm's pilot project drew on the existing community network in the selected neighbourhood (Guifi.net),¹⁷ used an already active geolocation platform (Itinerarium's Eduloc),¹⁸ and designed a qualitative and quantitative assessment methodology (IGOPnet)¹⁹ involving the wider local community. It conducted numerous interviews in the local community (local associations, shopkeepers, foundations, libraries, schools, local media, etc.) and with the public administration. It also interviewed organisations conducting citizen-science projects such

as CitiSense,²⁰ Open Systems,²¹ Point of Information on Aerobiology (PIA)²² and the local branch of Wikipedia.²³

The resulting model, which can be re-packaged and adapted elsewhere, is therefore a communicative ecology for community engagement and participation with guidelines for specific activities. A communicative ecology is conceived by Foth and Hearn²⁴ as a technological layer (devices and connecting media), a social layer (people and social modes of organising those people) and a discursive layer (the content of communication). The CitizenSqKm model can be redesigned using other digital tools and platforms, such as those being created by the new European-based project OrganiCity.²⁵ It can be better adapted to the needs and wants of its users, by for example using the Co-creation Made Agile methodology designed by yet another European project, Wotify.²⁶ It can be expanded to host a conversation about the social construction of technology, from ethical and emancipatory viewpoints, and include a service like Teixidora (Weaver).²⁷ And it can be used to identify philanthropic projects citizens want to support within match-funding programmes,²⁸ co-financing – via crowdfunding platforms – these programmes with public and private institutions.

The CitizenSqKm pilot projects launched in Barcelona covered the widest possible range of ages and sectors in the community. They built on the work of public programmes such as “*Camins escolars, espais amics*” (The Way to School, Friendly Spaces),²⁹ a participatory project aiming to provide students with a safe route between home and school without being accompanied by an adult. This project not only develops autonomy among students, but also civic co-responsibility and the recovery of public space.

This initiative gave rise to “The Optimal Path”. The aim was for people in a village or city neighbourhood to gain personal independence and quality of life coming and going from point A to point B – for example, walking in the park or going to play sports

16 <https://smartcitizen.me>

17 <https://guifi.net>

18 eduloc.net

19 igopnet.cc/citizensqkm-2

20 www.citi-sense.eu

21 www.ub.edu/opensystems

22 lap.uab.cat/aerobiologia/en

23 https://ca.wikipedia.org/wiki/Viquiprojecte:Fons_Gràfic_Xavier_Badia

24 Hearn, G. N., & Foth, M. (2007). Communicative Ecologies: Editorial Preface. *Electronic Journal of Communication*, 17(1-2). eprints.qut.edu.au/8171/

25 organicity.eu

26 wotify.eu

27 <https://www.teixidora.net/wiki>

28 Platoniq and Goteo Foundation. (2016, 2 September). Goteo and the case for match funding. *Europeana Pro*. pro.europeana.eu/blogpost/goteo-and-the-case-for-match-funding

29 smartcity.bcn.cat/en/school-routes.html

– while also growing in their commitment to the local community. This sort of project benefits particularly from the participation of the elderly and disabled.

For students, CitizenSqKm is an excellent learning environment in which they can work in an interdisciplinary way in different areas of the curriculum (learning, for example, about environmental health in their neighbourhood and also exploring science, technology and mathematics)³⁰ and creating a space for the whole community to interact. Students and local historians may also use CitizenSqKm to explore historical heritage. For example, a project called the Catalan Wikimedia Thematic Organisation (Amical Wikimedia) and a local secondary school (Salvador Espriu) teamed up with CitizenSqKm to help preserve the photographic work and historical research by local artist Xavier Badia. In this way students at the Salvador Espriu secondary school are learning about their neighbourhood's industrial past by studying the Xavier Badia Archive and, in fieldwork, by geolocating historical images over today's buildings.

Scientists used CitizenSqKm to explore the local environment in a project tracking allergy-causing plants. Scientists from the PIA³¹ at the Autonomous University of Barcelona (UAB) developed a guide for citizens to produce a phenology – a study of how plants evolve over the seasons. Assisted by experts from the PIA, students from several schools in the Poblenou neighbourhood are learning to identify and scientifically observe how specific species evolve throughout the year. They geolocate, photograph and describe a series of trees and plants in the neighbourhood, and the data they collect is stored in a collective database accessible to the PIA scientists.

CitizenSqKm was related to yet another initiative³² that created small mobile weather stations for collecting local weather data and importing open data – provided by the public administration -- to the geolocation platform. The project also used open source technologies and second-hand computer hardware. The weather station was made using Arduino³³ (an open hardware platform). Participants created the small stations and then managed the data collected by a number of sensors (such as temperature, atmospheric pressure, and humidity). This data was stored locally, in a database located on a server or in a spreadsheet. Sensors, linked to a fixed or mobile device, enhance awareness of the degree of environmental health in the neighbourhood and

also deepen learning related to science, technology and mathematics.

Conclusions

In Spain, the national government, which is supposedly responsible for guaranteeing ESCRs, does not seem committed to this. Indeed, the parliament is passing some very restrictive laws which are questioned by many human rights organisations. However, there are also numerous grassroots, political or citizen-centred initiatives and some new, more independent local governments which are starting to use the internet to protect some of these rights. They are creating platforms to collect relevant information and use it to take more citizen-centric decisions, in this way changing the dialogue between government and citizens.

The internet can help citizens to become more aware of the potential uses for data collection, local content development and knowledge sharing, and it can empower them to develop and strengthen local infrastructure through their community telecommunications network.

Conducting local programmes where the internet is used to collect data relevant to the community, mapping it and sharing it via social media, while owning (and having partly produced) the technologies used, may encourage participants to question and discuss issues related to the social construction of technology, as pointed out by Wiebe E. Bijker.³⁴

The link between ESCRs and the internet in CitizenSqKm is found in the concept of “awareness of freedom”. The internet itself is not an enabler or a withholder of ESCRs. Rather, it is the way the community or the individual uses the internet and technologies related to communication that may give or withhold rights.

CitizenSqKm's model may encourage participants to experience collaborative production in participatory processes, fostering autonomous and decentralised participation and decision making, and also creating a sense of responsibility. Using social media locally is also a powerful way of dealing with some ethical issues related to privacy, consent or data sharing. When people are part of a local community, it becomes more obvious if someone is stalking, victimising, or giving partial or exaggerated information.

In the few examples described above, CitizenSqKm highlights the right to open, free and neutral technologies, promoting the use of

30 Ibid.

31 lap.uab.cat/aerobiologia/en/

32 blog.citizensqkm.net/protocol-taller-per-construir-una-estacio-meteorologica-portatil

33 <https://www.arduino.cc>

34 Bijker, W. E., Hughes, T. P., & Pinch, T. (1987). *The Social Construction of Technological Systems: New Directions in the Sociology and History of Technology*. MIT Press.

community networks and the exploration of mobile devices and open source sensors. By encouraging the community to collect their own data, the project – which also makes sure it involves local media and journalists – stands for the right to information, but also any other rights in relation to which the community decides to collect data. For instance, the right to food. The community collects data about the foods sold in the participating shops, whether they respect the environment, the labour rights of the workers who produce them, and consumers' health. In the end, the right involved depends on the different kinds of data collected.

Action steps

The following are some suggestions on how the internet could be used to realise ESCRs in Spain, what needs to happen in terms of policy change to achieve this, and what the next advocacy steps for civil society should be.

If the internet is to be used to ensure that ESCRs in Spain are respected, it is necessary, in the first place, to redefine the concept of the “digital divide”. To us, the term “digital divide” is not only about connectivity, access and use of technologies, but about the conscious and informed adoption of ethical and emancipatory technologies to:

- Promote government transparency
- Promote citizen participation and freedom
- Ensure access to open data and promote the collection and processing of data by citizens
- Promote different regulations to ensure access to internet services.

For change to occur we need:

- Legislation promoting net neutrality
- Legislation promoting the reuse of technological devices
- Legislation promoting cloud computing services based on open-source software
- Legislation promoting the deployment of open, free and neutral telecommunications infrastructure
- To rethink legislation about privacy and data protection.

The next advocacy steps for civil society should be:

- To promote knowledge by:
 - Making digital and data literacy, as well as access to connectivity (preferably through community networks), a central part of children and adult education programmes, at schools, universities and public libraries.

- Promoting awareness about terms of use and privacy policies.
- To encourage collaborative processes of work across sectors and communities by:
 - Co-financing projects with new models, like the match-funding model, where an institution makes a sum of money available to develop a specific area and, using a crowdfunding platform, calls for financial contributions from the community to match the money pledged.³⁵
 - Supporting the development of content by communities themselves, enabling the re-appropriation of data and technology.
 - Promoting multisectoral and interdisciplinary experiments and pilot projects for citizen participation.
- To promote access to open, free and decentralised technologies, web services, and apps.

Some of these suggestions draw from the first “Commons Collaborative Economies” event,³⁶ held in Barcelona, March 2016, where experts, citizens and sector representatives worked on a series of proposals and policy recommendations for governments. These recommendations were collectively gathered using an open source online editor, placed in Teixidora,³⁷ revised and rephrased into proposals,³⁸ and eventually published on the Barcelona City Council site decidim.barcelona.³⁹ These recommendations were then collected in the document “Declaration and policy measures of procomuns”, created by Barcola (Node on Collaborative Economy and Commons Based Peer Production in Barcelona), in the form of a joint statement on public policies for the collaborative economy⁴⁰ sent to the European Commission.

Some of these proposed action steps are already being acted upon locally in a few towns and cities in Spain, with practical examples such as DCDCity-Aire Madrid, the Los Madriles project,⁴¹ and participative budgeting initiatives such as IA Porta Aberta in La Coruña.⁴²

35 Platoniq and Goteo Foundation. (2016, 2 September). Op. cit.

36 procomuns.net/en/about-2/barcola

37 https://www.teixidora.net/wiki/Economies_col%C2%B7laboratives_procomuns_03/11/2016/apunts

38 Ibid.

39 ajuntament.barcelona.cat/alcaldesa/en/blog/decidimbarcelona

40 procomuns.net/en/policy

41 Gutiérrez, B. (2016). Op. cit.

42 <https://aportaaaberta.coruna.es>

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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