

Indigenous Movements, ICTs and the State in Latin America

Dr. Pascal Lupien

Associate Professor, Political Science, Brock University

*Digital Regulation in the Public Interest
Symposium*

November 7, 2023



Research problem

Indigenous civil society organizations (CSOs) in Latin America have produced some of the region's most enduring social movements.

Indigenous CSOs in Latin America are increasingly using ICTs such as social media.

Need to identify the "tools and tactics" that governments use to silence voices of resource-limited actors.

Research questions

- What types of regulations and tools have governments adopted to assert their control over the online world?
- In what ways do these measures constitute barriers for Indigenous organizations with respect to using ICTs?

CIDOB Orgánica Bolivia

16 16 Tweet



Rinne CIDOB Orgánica Bolivia Atweetáil

CIDOB Orgánica Bolivia @BoliviaCidob · 8 Iúil 2020

Como CIDOB-COICA, hemos gestionado ante el avandono del gobie
[#jeanimeañez](#) ayuda en coordinación con nuestra organización [#CO](#)
llevando un granito de vida a nuestros territorios, ante el buen cora
amigos como [#FILAC](#) y personas de buena voluntad de todo el mur



Cases

Bolivia

Ecuador

Chile



Data

- Semi-structured interviews
 - June 2016 to August 2020
 - 106 individuals from 90 Indigenous organization



Data

- Content analysis
 - Corpus of relevant texts: laws, regulations and government documents related to ICTs, communication, and security.
 - 42 documents were collected.
 - We also collected reports on government practices.

Data: categories

Constitutions

Telecommunications and technology

Media

Freedom of expression

Censorship

State security/anti-terrorism

Indigenous peoples' communication rights

Analysis

Of the 48 pieces of legislation and policy we analyzed, most limit communication in one way or another.

5 categories of threats

Indigenous actors: 76% expressed trepidation about the potential consequences of using social media.

Threats

- Censorship and freedom of expression,
- Defamation and insults
- Misinformation
- Anti-terrorism/state security
- Surveillance/cyberattacks.



Censorship and freedom of expression

- Laws and constitutional reform:
 - Information pluralism
 - Social responsibility and “truthful” information
 - Licensing



Defamation and Insults

- *Desacato* (contempt) laws



Misinformation

- False accusations by government officials
- Fake news
- Fake social media profiles



Erwin Valda ▶ El Federal Noticias

4 min •

#HacerInstantes

Oficinas de #Senarecom fueron escenario de supuesto consumo de bebidas alcohólicas.

Encontramos caja de Wisky y vasos con contenido alcohólico.

Se encontraba la movilidad del ministro de minería y de la oficina minera.

Un chofer escapó pero después volvió en su intento de salir del territorio.



Anti-terrorism laws

- Cold War era anti-terrorism/national security laws
- Allow authorities to access personal communications, including laptops and social media accounts
- “Digital terrorism”



Surveillance/cyberattacks



Laws directly related to communications surveillance.

Most adopted during the age of landline wiretapping but applied to 21st century technologies
Legislation generally authorizes surveillance to investigate threats to "national interests"



Data retention mandates



Remote Control System (RCS) software

Surveillance/cyberattacks

- “We began to receive threats through our social media. These were anonymous but warned us to stop criticizing the coup government and to close our accounts”
 - Indigenous youth leader, Bolivia, 2019
- “We have reason to believe they (the authorities) are spying on us, so we are very careful about how we use any ICTs. We don’t say anything online that we don’t want the government to see”
 - Indigenous leader, Ecuador, 2018

Key findings

- Latin American Indigenous leaders and activists understand the potential benefits of ICTs for their organizations and communities.
- ICTs, and an increasingly complex regulatory and security framework, provide new means for the state and other powerful actors to monitor their activities, or to impose sanctions.

Key findings

- ICTs not directly censored/blocked but...
- New avenues for repression.
- Fear and self-censorship.
- Indigenous communities in resource-rich areas more likely to be targeted.
- Larger national organizations more likely to express concern.

Key findings

- Indigenous organizations lack the technical expertise and resources to detect and counter surveillance
- In contrast to elite-owned private media outlets or opposition parties, few can afford to hire full-time lawyers to defend them against criminal charges, or to challenge unconstitutional laws and practices in court.