

Technological Protection of Human Rights: Exploring the Specialized-Emerging Functions of Social Media in Latin America

Jose Mauricio Gaona

Abstract

Latin America is the world's most violent region. The extent of human rights violations in this part of the world amounts to crimes against humanity affecting the most vulnerable populations across the region—that is, historically, culturally, or politically neglected social groups. Behavioural studies and empirical evidence indicate that these groups are increasingly using technology—and, more particularly, social media platforms—not merely to denounce but also to deter and redress historic trends of human rights violations. For example, women in Honduras are fighting against gender violence and inequality by developing sociopolitical accountability tools through social media over public officials and candidates running for public office. Minorities in Argentina are using social media as political deterrence mechanism to redress government policies targeting refugees and migrants. Victims of conflict in Colombia are using social media as transitional justice forum while political opponents and impoverished social groups in Venezuela are using it to expose human rights violations, trade basic goods and, more recently, as migration tool. This article explores the vital role that social media accomplishes as a technological instrument to protect human rights in Latin America. After analyzing different cases, I conclude that the role of social media in Latin America has evolved from general-progressive functions (e.g., communication, socialization, and participation) to specialized-emerging functions (e.g., legal exposure, political deterrence, sociopolitical accountability, transitional justice e-forum) that are becoming critical to the survival and development of these social groups.

KEY WORDS: Human rights, technological protection, political deterrence, sociopolitical accountability, transitional justice e-forum, social media functions, e-policy forum.

Introduction

Unrestricted Internet access is a human right (UNHRC, 2016). Inherently, at most, public policy restrictions aimed at disrupting, decreasing, controlling, or limiting access or content posted on Internet constitute a human rights violation (UNHRC, 2016: 4). This legal assertion does gradually develop notwithstanding growing legal disquisitions on whether the inclusion of Internet as a human right has binding (*hard law*) or non-binding (*soft law*) legal authority (Howell & West, 2016).

Accordingly, in 2016 the United Nations Human Rights Council introduced a set of recommendations along with an addition to Article 19 of the Universal Declaration of Human Rights on freedom of expression to make Internet a human right while stressing the critical role Internet accomplishes in today's society by empowering vulnerable groups (e.g., women, children), fostering equality among countries and people, and enabling individuals across the world to exercise more effectively their human rights (UNHRC, 2016, pp. 1–4).

Nonetheless, the content and extent of what I call the “technological protection of human rights” is still an ongoing process whose legal elaboration—in my view—is increasingly driving from social media interaction. More particularly, the current use of social media in the region portrays different ways in which Internet serves not only to promote but further to protect more effectively human rights in places and communities where these rights are often violated.

The fundamental questions my paper then raises are these: How do social media platforms help to protect human rights in Latin America? And how are some governments in the region reacting when find themselves exposed through this emerging and gradually specialized use of social media?

There is a current trend in modern literature describing various negative implications of social media in areas such as political debate, cybersecurity, privacy, and even democracy (Bradshaw & Howard, 2018; Kumar, Saravanakumar & Deepa, 2016).

Nevertheless, in this paper I analyze how social media platforms are accomplishing a rather positive role in society by empowering communities and some of the most vulnerable social groups in the region to expose, deter and, in some cases, even redress historic trends of human rights violation—which function, in my view, has the potential to produce social and political change. This, I call it, the “technological socialization of human rights protection.” In fact, identifying regional trends on how Internet and social media are helping either to protect human rights, develop new types of protection, or redress human rights violations is part of the technological protection of human rights; that is, a self-evolving discipline and soon to be considered specialized field of research.

I argue that unlike other rights dealing with dissimilar types of conflicts (e.g., property, torts, trusts, taxes) that can be resolved through judicial adjudication, the very contention and dynamic of human rights violations makes both exposure and immediacy some of its most quintessential features as they provide victims with a more efficient, prompt, and effective legal protection. For instance, as the paper will illustrate through different cases, exposing non-state actors’ violence (e.g., social partner, guerrillas, paramilitary groups) against vulnerable populations (e.g., refugees, children, women, or minorities)¹ through social media as well as government action or inaction directed at precluding those same populations from getting access to water, food, medicines, education, or even information may trigger pluri-dimensional layers of action—including, but not limited to, international condemnation, national public debate, or even deter those non-state actors and governments from continuing with their practices.

I proceed as follows. First, I discuss the evolution of social media functions going from accomplishing a general-progressive social role to gradually developing, in addition, a specialized-emerging social function to protect people’s most basic rights by empowering vulnerable social groups through social-media’s various evolving dimensions and technological capabilities—that is, legal exposure, e-policy forum, transitional justice forum, sociopolitical accountability, political deterrence, and social protection. Next, I describe situations in which the emerging and specialized functions of social media appear more visible. To this end, I explore the cases of Venezuela (*political opponents and impoverished social groups*), Colombia (*FARC victims*), Honduras (*women*), and Argentina (*minorities, migrants, and refugees*). In each of one of these cases, I identify the vulnerable social group, the human rights violations, the way in which each group uses social media to protect their human rights, and the challenges such protection and use entail.

Methodology

This paper proposes a doctrinal, comparative, and theoretical analysis aimed at exploring what appears to be the emerging yet decisive role of social media in the context of human rights protection. In addition to current literature, the paper incorporates empirical evidence concerning the use of social media to expose, deter, and redress human rights abuses in Latin America along with recent behavioural

studies portraying identifiable codes of social-media conduct taking place in some of the most dangerous human rights environments and conflicts. The paper further identifies public policy reactions coming from some of the governments whose actions are being exposed through social media interaction.

Technological Protection of Human Rights

The technological protection of human rights embodies a scientific-legal approach developed in two defined lines of research. On the one hand, the identification of scientific and ethical considerations regarding evolving yet ineluctable technological disruptions (e.g., artificial intelligence, genetic engineering, analytical data logarithms). This line of research is being developed through international forums, university labs, and scientific partnerships aimed at assessing common equations on dignity, liberty, privacy, and humanity while making sure these technological disruptions do not end up violating the human rights of users and people around the world (MIT-VC, 2018; García-Van-Hoogstraten & Díaz-Ferreyra, 2018; Solomon, 2017; IGF, 2017). On the other hand, the proposed evaluation of technological innovations having a rather positive impact in society while enabling the most vulnerable populations on the planet to expose, deter, and redress cultural, social, and political patterns on human rights violations. In this context, I argue that among the last group of technological innovations, Internet—and, more particularly, social media interaction—is empowering traditionally disfavored and vulnerable social groups in Latin America to timely expose and gradually redress human rights violations.

The UN recent inclusion of Internet as a human right provides a basic legal framework to develop this emerging right and—using precisely this type of research—promote public policy restrictions on state action and non-state actors' international-law infringements. Still, the successful legal, political, and social internalization of Internet as human right hinges as well on the very possibility that more people in poor and developing countries could have unfettered and quality-reliable Internet access. In this sense, the case of Latin America is certainly revealing as it offers a clearer picture of both the way in which these traditionally marginalized groups are using social media to protect their human rights and the recently developed public policies aimed at blocking such critical technological interaction.

Social Media Interaction: General-Progressive Roles

One of the primary functions of social media has been serving as a gradually more interactive tool of communication. As such, one of the most progressive roles of social media relates to the technological advantages its various platforms offer to reach a higher level of social interaction beyond Internet's original roots of communication (e.g., email, chats) by enabling people to share images, videos, ideas, and a wide range of interests with an open or selected network of friends and colleges (e.g., Facebook, Twitter, LinkedIn).

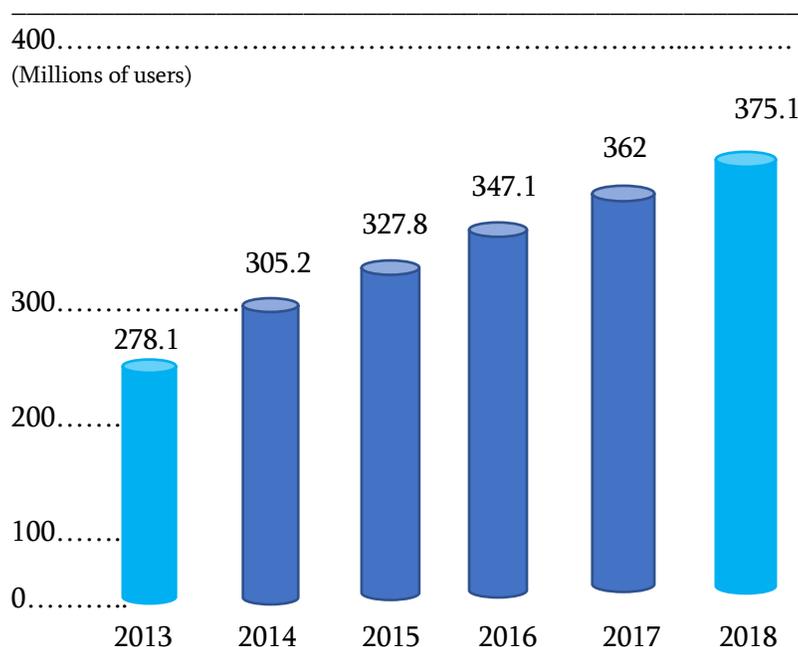
Using a standard logistic model to ascertain individual-level of preferences in social media, a behavioural study on social media consumption conducted in Latin America in 2015 confirmed some of the most progressive roles social media accomplishes while serving as a tool not merely to communicate but also to gather news (Salzman, 2015-A) and foster social interest towards political action and participation (Salzman, 2015-A, p. 854).

Communication

At present, there are 417,940,160 million Internet users in Latin America (IWS, 2017), which represents 10,3 percent of users in the world and 66,1 percent of Latin America's population, i.e., 652,012,001 (World Population Review, 2018). In fact, the number of Internet users in the region has grown exponentially in the last six years to nearly 100,000,000 new users, going from 278,1 million in 2013 to 375,1 million in 2018 (see Table 1). This trend extends to social media as well. For example, just in Latin America, Facebook went from 159,000,000 million users in 2016 (SEOWEB, 2016) to 321,800,000 in 2017 (ISW, 2017).

Moreover, despite historic trends on poverty in the region (Altimir, 2017, p. 129), the number of people using social media in Latin America has increased from 17 percent in 2005 to 53 percent in 2015 (Statista, 2018). Still, preliminary research indicates a link between Internet access and users' wealth-and-education (Zechmeister, Saunders & Brunelle, 2015). However, more recent data seems to contradict—at least in part—this finding by pointing out that 57 percent of social media users in the region have limited access to food while 51 percent have no running water in their homes (Marcial-Perez, 2016).

Table 1. Number of Internet Users in Latin America



Source: Statista 2018²

Nonetheless, the general-progressive role of social media as an interactive tool of communication drives not merely from the evolving capabilities its platforms offer (e.g., video communication, audio chat, text, and multiple sharing options), but also from the increase in the number of Internet users across different social groups and countries. In fact, according to the Economic Commission for Latin

America and the Caribbean CEPAL, 54,4 percent of inhabitants in Latin America were already regular Internet users in 2015 (CEPAL, 2015). Both Internet and social media have become part of people's daily routine. For instance, the National Institute of Statistics of Peru INE estimates that 6 of 10 Peruvians use internet every day (Mendoza, 2017). In Costa Rica, a survey realized by the National University established that 72 percent of people above 50 years of age use Internet as a tool of communication with relatives and friends (Vargas, 2016). A recent study realized by Televisa Digital Mexico shows that 62 percent of Mexicans use Internet mainly as a tool of communication (Hermosillo, 2017). What is more, a recent behavioural study elaborated by NetQuest indicates that Colombians spend 6,7 hours per month and 26 minutes per day in social media; that is, Facebook, Twitter, Instagram, and Snapchat (De Abreu, 2017). And according to a report produced by the company We Are Social, Internet users in Argentina spend 3 hours and 13 minutes per day in social media (De La Rosa, 2016). Lifebelt, a company studying Internet use and behavioural consumption-patterns in Central America, estimates that there were 2,600,000 Internet users in Honduras in 2016, of which 92,6 percent used social media platforms (Lifebelt, 2016).

Socialization

Another progressive role that social media accomplishes is socialization. In effect, social media platforms in the region are being used for different types of socialization processes going from developing relationships with people, exchanging personal experiences with consumers around the globe, and reconnecting with friends to learning, entertaining, and building professional networking. In this sense, recent data indicate that YouTube is the most used social media platform in the region reaching 95 percent of users in 2016 while Facebook registered 89 percent, Twitter 56, LinkedIn 56 percent, and Instagram 47 percent the same year (TD, 2017). The progressive role of social media platforms shows people in Latin America using Internet for a wider range of interests beyond basic original functions, such as sending emails or surfing the web (Sajithra & Patil, 2013). In fact, data also show that the main reason people have for connecting through social media in the region is friendship (TD, 2017). These behavioural patterns are further measured through users' various online social-interactions; that is, sending messages (*64 percent*), posting pictures (*50 percent*), sharing content (*45 percent*), getting news from friends (*44 percent*), and other dissimilar uses such as updating their social media status (TD, 2017). It must be noted, however, that manipulation for political purposes and privacy breach scandals (e.g., Facebook, Cambridge Analytica) have called the attention of users and governments across the region (Carrique, 2018). The implications of these events in the region are yet to be determined.

Participation

A more recent and progressive role of social media in Latin America refers to the socialization of political debate turning social media into a participation tool. For example, using a survey based on a regression model depicting defined interests (i.e., discussing politics, attending meetings, voting, and protesting) and different behavioural patterns on media consumption (e.g., daily, never), a comparative study conducted in Latin America over the impact of media news consumption (*TV, newspapers, radio, and Internet*) indicates that Internet influences—above other traditional media—people's behaviour to engage in political participation (Salzman, 2015-B, p. 84). And while traditional media appears more influential when it comes to mobilize people to vote (Salzman, 2015-B, p. 87), the study further suggests

that the consumption of news through Internet leads to defined behavioural patterns by opening spaces for social interaction and political discussion. As such, Internet and radio are viewed as the major engines of mobilization and political protest (Salzman, 2015, p. 89). In fact, other studies seem to point out similar social trends based on the greater amount of information to which people are exposed today, (Salzman 2015; Stromback & Shehata, 2010), the different layers of information at local, regional, and national level, and the skepticism over traditional media among younger consumers (Salzman & Albarran, 2011). For example, social mistrust on traditional media (e.g., TV, radio, press) increasingly controlled by the government led Internet users in Venezuela to progressively rely more on social media not merely to denounce human rights violations but also to organise national strikes and social protests against Maduro's regime (Wilson, 2014; Friedman, 2014). Social media has also been a key element to mobilize people and protest against violence in Colombia (Rosato, 2014), including the historic march against the FARC guerrilla on February 4, 2008, known as "a million voices against FARC," which was organised through Facebook and mobilized people in 27 cities across the country and 104 cities around the world (see Pérez, 2008).

Social Media: Specialized-Emerging Functions

Using the cases of vulnerable social groups in Venezuela, Colombia, Honduras, and Argentina, I identify and analyze in this section what I consider to be social media's specialized-emerging functions. To this end, the term vulnerable social groups refers to historically, culturally, or politically neglected groups that are often found facing dissimilar forms of oppression and human rights violations. As it turns out, social media does not only accomplish a specialized-emerging role but also becomes in many cases the last resort to protect people's most basic rights.

Fighting Government Oppression and Human Rights Violations in Venezuela

(1) Vulnerable Group: Political Opponents and the Impoverished Social Groups

People opposing the regime in Venezuela face a double type of conflict. On the one hand, they confront general conditions of poverty, unemployment, malnutrition, crime, and widespread public corruption (OHCHR, 2018, pp. 3–5). On the other hand, they are subjected to government political persecution and arbitrary detentions whenever they try to express their ideas, protest, publicly criticize the regime, or denounce human rights violations (OHCHR, 2018, p. 34). Political opponents to Maduro's regime include nonmilitants official-party citizens, journalists, political prisoners, and members of the remaining opposition parties—many of whom are nowadays in exile (Reuters, 2018-B). And as the economic crisis in Venezuela worsens, impoverished social groups increase—that is, identifiable members of society facing extreme poverty conditions as well as lack of adequate housing, food, and health (OHCHR, 2018-A).

(2) Human Rights Violations

The record of human rights violations in Venezuela is staggering. Currently, there are more than 1,300 political prisoners in Venezuela (Reuters, 2018-A), including political leaders Leopoldo López and David Smolansky (Reuters, 2018-B). The National Constitutional Assembly ANC—that is, a supranational and loyalist institution that replaced the legislative assembly in 2017—ordered the

removal from office of President Maduro's main critics: the Attorney General, Luisa Ortega Díaz, who was investigating Mauro's government for human rights violations (Stephenson, 2017), the Governor of the State of Zulia, Juan Pablo Guanipa, who refused to pledge allegiance before the ANC, and the Vice-President of the former legislative assembly, Freddy Guevara (Lozano, 2017).

Maduro's regime has either denied entry to or expelled from Venezuela foreign correspondents of several media outlets, counting CNN, The Washington Post, Miami Herald, NPR, Al Jazeera, AP, Deutsche Welle, Le Monde, Televisa Mexico, Caracol Colombia (see Reporters Without Borders, 2017). In 2017, 66 journalists were detained in Venezuela while 498 members of the press were physically attacked by security forces, the National Guard, and paramilitary groups (AFP, 2017). Moreover, the government in this country has blocked Internet and TV access to foreign media and has stopped the renewal of broadcasting licenses, leading to the closure of 69 media outlets (Freedom-House, 2017-A; AFP, 2017), 17 printed media, 54 radio stations, and 8 TV channels across the country (SNTF, 2018).

Both local NGOs and regional organisations have accused Maduro's government of committing crimes against humanity. Accordingly, the Organisation of American States OAS reported that Venezuela's regime has ordered more than 12,000 arbitrary detentions and 8,200 extrajudicial executions since Maduro was elected President in 2013 (OAS, 2018, p. 7). Foro Penal—a NGO defending protesters in the country—and Human Rights Watch reported torture in military prisons (Foro Penal, 2017; HRW, 2017).

Furthermore, after years of economic recession, Venezuelans are now suffering from severe malnutrition (Graham-Harrison, 2017). The price of food and medicines along with a projected unemployment rate of 33 percent and an inflation rate that already surpassed the IMF 2018 projections (IMF, 2018) are preventing people from even seeking medical attention; this situation is bringing back extinct diseases in the region (Contreras, 2018). In fact, according to an official epidemiology report, 11,466 children died in Venezuela in 2016 (República Bolivariana de Venezuela, 2016, pp. 4–5).

(3) Social Media Use

Of the 32,551,815-people living in Venezuela, 17,178,743—that is, 53,1 percent of the population—have Internet access; of them, more than 13,000,000 use Facebook (IWS, 2017).

Considering the government's censorship policies and nearly absolute control over traditional media (*TV, radio, printed media*), the role of social media in Venezuela during the last years has significantly changed as this technological instrument has become the main and last resort people have to get information, food, medicines (Vasquez, 2014; Wyss, 2015), and denounce human rights abuses (see Image 1). For instance, while the student protests of 2014 were organised through social media and its success attributed to a “contagion” or social-imitating behavioural pattern (Lugo-Ocando, Hernandez & Marchesi, 2015, p. 3783), the far more violent protests of 2017 were not only organised but further live-streamed through social media (Buitrago & Pons, 2017).

In effect, social media has become a public global forum to denounce and share content related to human rights violations in Venezuela (see Images 1 and 2). This exposure eventually led the international community to react (CFR, 2018), impose diplomatic sanctions on Venezuela (Klein, 2015), investigate human rights abuses (OHCHR, 2018-B), and present evidence of crimes against humanity before the International Criminal Court (Reuters, 2018-A).

Image 1. Venezuela, Torture and Human Rights Violations (YouTube)



Image 2. Human Rights Violations in Venezuela (Twitter)



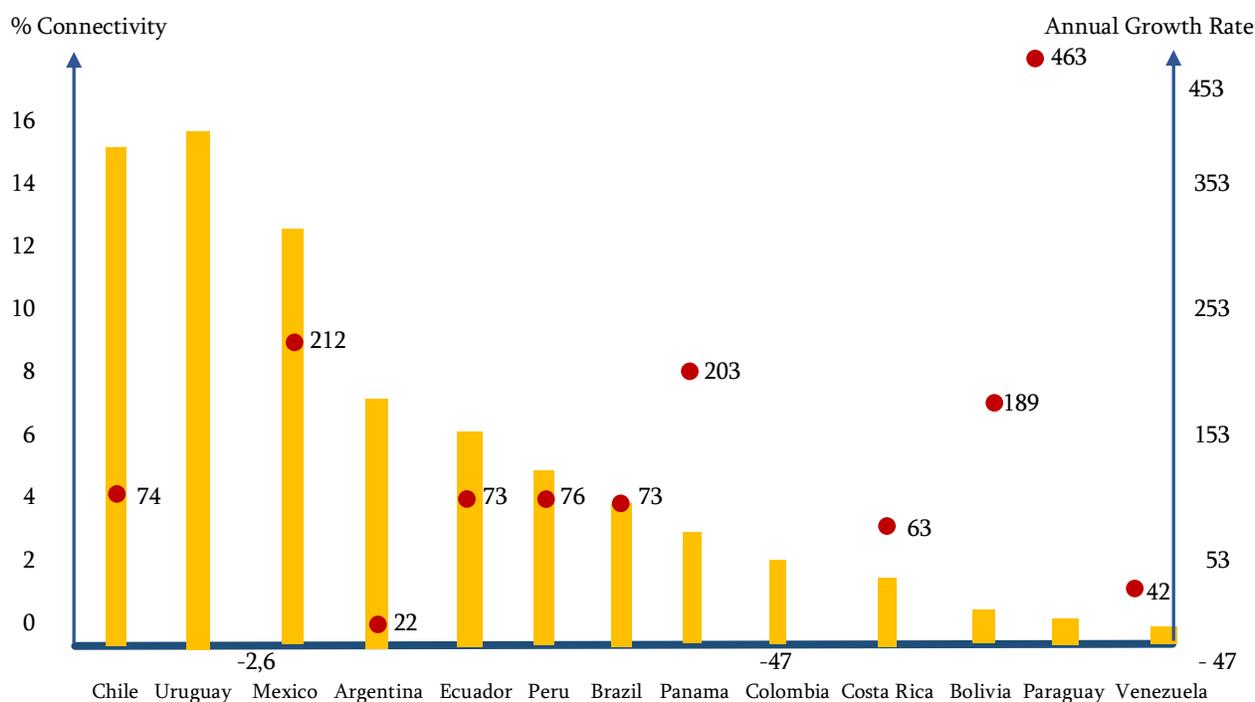
Photo: Protester Stands Before Venezuela's National Guard (Caracas, 2017)

Additionally, due to the lack of official information, Twitter has become researchers' last resource to ascertain the extent of the refugee and humanitarian crisis in Venezuela. In fact, based on a recently developed statistical model on social media interaction on Twitter researchers estimated the number of Venezuelans refugees in 2,9 million (Hausman, Hinz & Yildirim, 2018, p. 1).

(4) Challenges Ahead

Censorship in Venezuela has made social media not merely a tool to communicate, denounce human rights abuses, and trade basic goods, but also a migration tool enabling Venezuelans to find social and economic support abroad (Arroyo, 2017; Schipani, 2015). This phenomenon, however, has led the Venezuelan government to target social media in two ways. First, the government has placed content-based restrictions. Second, Maduro’s regime has also limited and is gradually decreasing Internet access around the country. As such, the National Constituent Assembly ANC approved in 2017 the “Anti-Hate, Pacific Coexistence and Tolerance Law” punishing individuals, social media outlets, broadcasting companies, and media corporations (*radio, tv, printed media*) with up to 20 years of prison for streaming or posting any expression deemed to “induce” or “encourage” intolerance, “national hate,” public disturbance, or political opinions against the “government’s legitimate authority.”³ Moreover, Internet access and infrastructure have decreased drastically during Maduro’s government (Avendaño, 2018). Nearly 70 percent of Internet users in Venezuela access the web through a nationalized state company known as CanTv (*Compañía Anónima Nacional Teléfonos de Venezuela*), which uses broadband technology. Yet Internet users across the country have reported permanent disruptions, lack of Internet access for months and, when available, low-speed connection (Avendaño, 2018). Researchers have found that Internet average speed in the country is 1,6 Mpbs and that only 0,5 percent of the available connections reach 10 Mbps. These findings coincide with another report issued by the Economic Commission for Latin America and the Caribbean CEPAL, which estimates Venezuela has the worst Internet quality-connection in Latin America (see Table 2; CEPAL, 2016-B, p. 25).

Table 2. Latin America: Internet Connection Reaching 10 Mbps



Source: CEPAL State of Wideband in Latin America and the Caribbean (2016 Report, p. 26).

Notes: ● %> 10 Mbps; ■ Annual Growth Rate (2015 v. 2016).

Government restrictions in Venezuela are not only directed to control content but also to reduce access to social media, information, and apps, which the government is now blocking (Freedom House, 2017, pp. 6, 10). Despite problems of connectivity, poor Internet access, and content-based restrictions, of the 31,6 million people living in Venezuela, 60 percent continue to use Internet everyday (Freedom House, 2017, p. 1).

Although some reports indicate that the lack of Internet connection is also related to the difficulty the government faces in maintaining proper infrastructure in place due to the current economic crisis (IPYS Venezuela, 2018; Freedom House-A, 2017, p. 6), other critics believe that the restrictions on Internet access—and, in the process, on social media platforms—are part of the national public policy plan known as “Plan Patria” (Avendaño, 2018).

In a country with an ongoing humanitarian situation portraying severe cases of malnutrition (Graham-Harrison, 2017), unemployment (IMF, 2018), lack of access to food and medicines (Contreras, 2018), and the largest refugee crisis on the continent (Nowrasteh, 2018), government restrictions aimed at prohibiting or decreasing Internet access as well as the use of social media platforms constitute a human rights violation. I argue that such policies are not merely preventing Venezuelans from exercising their freedom of expression and assembly both protected by international and constitutional law, but also eventually precluding the most vulnerable social groups in this country from using their last available resort to communicate with the world, obtain information, food, medicines, economic support, and, in general, survive.

Discussing Impunity, Peace, and Transitional Justice in Colombia

(1) Vulnerable Population: FARC Victims

The peace process between the Colombian government and the FARC guerrilla is one of the most sensible and complex issues in this country because it encompasses pluri-dimensional and generational layers of a conflict that has produced 220,000 dead and the highest internally displaced population in the world reaching 7.7 million in 2017 (UNHRC, 2018). As of today, it is estimated that the five decades of conflict in Colombia has produced a total of 8,532,636 victims (Amnesty International, 2018-A).

Any reference to the term “victims” in Colombia, however, does require a word of caution—particularly considering that in many cases the same group of victims have been attacked by different actors of this conflict (Castaldi, 2018). Accordingly, while there are distinguishable victims arising out of FARC’s direct actions in relation to cases of rape, forced abortion, kidnapping, executions, drug trafficking, and forced disappearance (Infobae, 2018; Felter & Renwick, 2017; Otis, 2014), some of these victims have also been attacked by other armed groups (Serralde, 2015). Hence, from a research point of view, it is therefore very difficult to attribute consolidated data over a group of victims since in many cases both impunity and judicial processes are still ongoing situations.

All things considered, victims of FARC have been progressively organising through different groups, such as the Federation of Victims of FARC (see @FEVCOL, 2018). Nonetheless, the number of IDPs in Colombia must be viewed from a broader perspective, in that it includes people displaced by all sides of the conflict. That is, guerrillas, paramilitary groups, drug cartels, and even the military (HRW, 2018).

(2) *Human Rights Violations*

FARC's human rights violations include, among others, mass disappearances, rape of women and children, children's abductions in rural areas, and the killing of thousands of civilians, soldiers, and policemen (Rueda, 2018; IAHRC, 2016; Stanford University, 2015).

After four years of peace negotiations, on October 2, 2016, 6,438,552 voters—that is, 50,2 percent of the Colombian electorate—rejected the peace agreement signed by FARC and the Colombian government in Cuba (Registraduría, 2016). The government then introduced before Congress a revised fast-track deal aimed at replacing the electorate's historic rejection by using a proceeding held constitutional by the Constitutional Court in a controversial case known as the “fast-track decision” (Isacson, 2016). This historic decision along with an extensive record of criminal activity and human rights atrocities committed by FARC have deeply divided the country, leading to two legitimate yet apparently opposed claims: on the one hand, the need to avoid impunity following the human rights atrocities committed and, on the other hand, the need to reach a durable peace following more than five decades of war (see Rueda, 2018).

(3) *Social Media Use*

Of the 49,464,683-people living in Colombia, 61,2 percent—that is, 30,275,567—have Internet access; of them, 26,000,000 use Facebook (IWS, 2017).

After the electoral rejection of the peace agreement in 2016, some Colombians rallied across the country to show their support for the peace process whereas many others used social media (see Roddel, 2016) to denounce the 'legislative peace agreement' (Law 02/2017) as an affront to the national dignity in light of the human rights atrocities committed by FARC and the growing concern about impunity both in Colombia (Chen & Gallón, 2016) and abroad (UNHRC-B, 2018, p. 13).

As the government implements the special jurisdiction of peace or “Jurisdicción Especial de Paz”—which sets forth FARC's obligations and victims' rights—the country remains deeply divided (Rueda, 2018). In turn, social media, in general, and Twitter, in particular, have become the natural public forum to discuss peace, impunity, and transitional justice in Colombia (Cortés, 2016) as well as to articulate a peace process approved by Congress but rejected by the electorate, revealing thereby—in my view—the roots of a more profound social conflict. In this sense, social media platforms (*Twitter, Facebook, and Youtube*) have been not only part of the national discussion concerning peace but also an emerging mechanism of communication, transitional justice, and social reflection by enabling different sides of the conflict to express their views and feelings while showing the incontestable need for social reconciliation, the lack of trust in the implemented transitional justice system, and an overwhelming fear regarding impunity. For instance, a social media movement known as *#ColombiaDecide* (see Image 3)—which became an e-forum of social discussion about legitimacy and major implications of the peace process—registered up to 3,000,000 twitters from the moment the peace agreement was signed on August 25, 2016 to the day in which Colombians decided to reject this peace agreement on October 2, 2016 (Pichichua, 2016). Moreover, just in elections day, Colombians twitted 300,000 times using *#ColombiaDecide* (Pichihua, 2016).

Image 3. Colombia's capital main square (Twitter)

Julio César Irurita @JULIOIRURITA · 27 Sep 2016

#Twitter se toma la #plazadebolivar en #Bogota y #ColombiaDecide



Photo: Plaza de Bolívar. Bogotá, Colombia.

As in many other parts of the world, social media in Colombia has been used both positively and negatively (Woolley & Howard, 2017, p. 14; Gummer, 2018). On the one hand, preliminary findings indicate that during the negotiation of the FARC peace process in Cuba some groups used Facebook to discredit the political context of these talks (Said-Hung & Luquetta-Cediel, 2017, pp. 133–45). On the other hand, data also show that many Colombians chose Twitter as the main platform to start social movements dedicated at discussing the consequences of ending the war in the country. This is the case of *#Adiosalaguerra* or farewell to the war and *#PazenColombia* or peace in Colombia (see Bravo-Medina, 2016). In addition, many Colombians chose YouTube and Twitter to stream images and videos showing some of the atrocities committed by FARC rebels during the 52 years of conflict (see *#Votono*, 2016).

(4) Current Challenges

I contend that social media serves to provide a transitional justice e-forum by bringing together different sides of the conflict and, in the process, fostering a different perception and dynamic in a longwinded peace process. In this context, social media accomplishes similar yet more direct functions than those attributed to formal transitional justice mechanisms. For instance, social media enables all sides of the conflict to openly, directly, and publicly discuss truth, justice, and reconciliation (Roddell, 2016; Cortés, 2016). And while a manipulative or pervasive use of social media could potentially affect reconciliation among Colombians, social media provides nonetheless a unique public space for victims, state, and non-state actors to tell their own story, denounce human rights atrocities, ask for forgiveness, and fill social gaps of a very criticized transitional justice law (HRW, 208-B; Isacson & Sanchez-Garzoli, 2017; El Herald, 2016).

In truth, transitional justice equates to a special kind of justice that promotes judicial and non-judicial forms of conflict resolution in order to absorb the brutality of a conflict while fostering

reconciliation through more reasonable ‘methods of confrontation’ (e.g., facing the truth). Despite the critics and challenges that both the peace process and the transitional justice law face in Colombia, social media is gradually becoming a default mechanism to facilitate the reinsertion of FARC rebels to society. For example, low-ranking FARC rebels are using social media and Internet to communicate with human rights activists and journalists to help their demobilization process while dealing with some security concerns (Campos-Iriarte, 2017). Once demobilized, some FARC rebels are also using social media platforms to contact their relatives (Dueñas-Castañeda, 2017) and ask for forgiveness and reconciliation (El Herald, 2016). This use of social media takes place as some victims continue to denounce human rights atrocities on social media and warn about the risks of impunity (see #votono; Valdivieso-Mancero, 2018; Amnesty International, 2018-A).

Notwithstanding the strategic role social media accomplishes and the relative increase of Internet access in Colombia during the last years—that is, going from 30 percent Internet users in 2009 to 58,1 percent in 2017—nearly 40 percent of the population remains without Internet access due to high costs (Freedom House, 2017-B). Still, the Colombian government estimates that although only 62 percent of people has Internet access in the country, the required infrastructure to develop Internet access has been built in 98 percent of the territory (MINTIC, 2017).

Deterring Gender Inequality and Violence in Honduras

(1) Vulnerable Population: Women.

Women are one of the most vulnerable social groups in Honduras. In this country, gender inequality and violence against women are common and, to some extent, socially acceptable. According to a report elaborated by the Inter-American Commission on Human Rights IACHR, violence against women in Honduras has been motivated by social prejudice and cultural structures enabling rampant gender inequality (IACHR, 2015, pp. 58–59). This critical social acquiescence was reported as well by the UN Special Rapporteur on Violence against Women, who referred to the situation of women in Honduras as “the culture of widespread impunity for crimes against women and girls” (UN Special Rapporteur, 2014).

(2) Human Rights Violations

The situation of human rights violations and, more particularly, gender violence and inequality in Honduras is critic. In 2013, Honduras reached the highest murder rate in the world with 79 homicides per 100,000 inhabitants (IACHR, 2015, p. 11). In that year, a woman was violently killed on average every 17 hours. 70 percent of these women were murdered by firearm while 75 percent of the criminal offenders were either their social partners or husbands. In 2013, impunity rates for these crimes reached 95 percent notwithstanding 347 women had been reported missing (IACHR, 2015, pp. 52–55). At present, the situation of human rights violations against women in Honduras has slightly improved. In 2017, 389 women were killed. That is, 32 per month (UNAH, 2018).

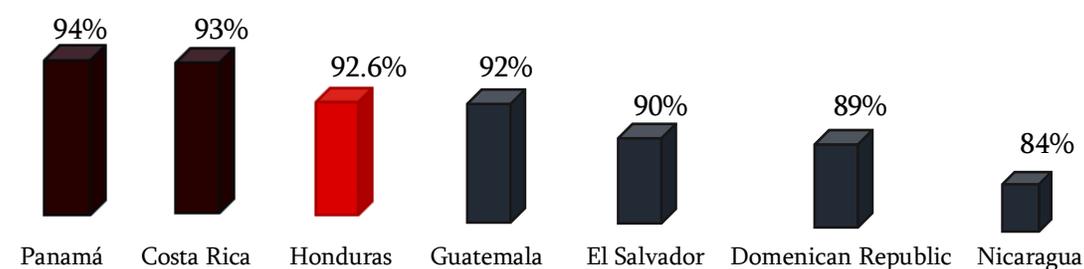
(3) Social Media Use

Of the 9,417,167-people living in Honduras, only 2,700,000—that is, 28,7 percent of the population—has Internet access; of them, 2,700,000 use Facebook (IWS, 2017).

A study on Internet access and consumption in Central America reveals that women between 21 and 30 years of age constitute the most frequent group of Internet users in Honduras. The study further estimates that after Panama (94 percent) and Costa Rica (93 percent), Honduras is the third country with more frequent users of social media platforms in Central America (see Table 3; Lifebelt, 2016).

The most recent study on social media in Central America and the Caribbean found that 83,1 percent of people in the region use Internet mainly for social media (Lifebelt, 2018). In fact, there were more than 22 million Facebook users in Central America in 2016 (Barrera, 2016).

Table 3. Percentage of people using Facebook in Central America



Source: Ifibelt study (Ifibelt, 2016).

As human rights activists started denouncing gender violence and accusing government officials of using public institutions to censor them (Ruiz-Navarro, 2015), more women started using Internet and social media platforms as their most efficient tool to fight against gender violence and inequality. For instance, women in Honduras used both Twitter and Facebook to develop a movement aimed at boycotting candidates running for public office who did not include women rights in their political agenda (Gles, 2017). Their strategy has been rather simple but seemingly, at most, quite effective: women take the list of candidates running for public office, analyze their program, stream their public interventions through social media, and then call for a boycott of those candidates who do not consider their rights by asking other women not to vote for such candidates. Nowadays, this initiative encompasses more than 70 organisations of women across the country (Gles, 2017). The strategy, essentially, precludes the government from using the judicial system (e.g., individual convictions for defamation) to censor women as the government cannot target an entire and sometimes undetermined group. Social media movements such as *#AgendaDelasMujeres*, *#YoDecido*, and *#PolitekaH* as well as organisations such as Oxifam (*fighting gender inequality*) and APSJ (*fighting political corruption*) have further used social media platforms to create social awareness, produce political action, redress historic trends of inequality and violence, and develop these sociopolitical accountability processes vis-à-vis public officials and candidates running for public office across the country (see *#AgendaDelasMujeres*, 2018; *#YoDecido*, 2018; *#PolitekaH*, 2017; Carducci, Iglesias, Gosset, Moura, & Sosa, 2014).

(4) Challenges Ahead

The use and role of social media in Honduras has been critical in exposing human and constitutional rights violations. This situation has led the Congress in this country to introduce recently a bill to regulate social media platforms and sanction what the government views as “hate companies” or “movements” (AFP, 2018). Just as in Venezuela, the government in Honduras is using hate speech and content-based restrictions to regulate social media content whenever the use of this technology encompasses—in the view of the government—expressions of hate leading to violence or public disturbance (TeleSUR, 2018).

Eventually, the problem with such restrictions is that the final decision on whether a campaign, post, or social media movement does constitute an expression of hate hinges on government regulators’ subjective appreciation—here represented by the newly proposed regulatory agency, the Interinstitutional Committee of Cybersecurity (see El Universo, 2018). In fact, critics view this situation as an opportunity for the government to impose its political agenda along with its views on permissible forms of expression (Criterio, 2018). This policy not only violates international law (i.e., Art. 19 Universal declaration of human Rights, Art. 19.2 UN International Convention of Civil and Political Rights) but further raises serious constitutional challenges based on the potential infringements on freedom of expression (i.e., Articles 72 and 75 of Honduras Constitution). In addition, the proposed censorship policy endangers the development of a technological platform that has become one of the most successful tools for women in this country to fight against gender discrimination, inequality, and violence.

Consequently, it is critical for international and regional organisations to include in their reports on human rights violations an independent chapter aimed at assessing the situation and public policies on Internet access in the respective country. It is further necessary that members of the international community include in their declarations and diplomatic sanctions the need to protect unfettered and quality-reliable Internet access—particularly in countries such as Venezuela and Honduras where the situation of human rights violations is critical. And, finally, it is also essential to develop and review international legal frameworks on international assistance concerning ongoing humanitarian situations making sure Internet is not only included but respected as a basic human right.

Redressing Migrants and Refugees Discrimination in Argentina

(1) Vulnerable Population: Minorities, Refugees, and Migrants

Minorities, refugees, and migrants have been singled out by President Mauricio Macri’s immigration policies. The largest numbers of refugees in Argentina come from Venezuela, Colombia, and Syria (Colman & Ferrari, 2018), whereas migrants that are mostly affected by recent immigration policies come from Paraguay, Bolivia, and Peru (see Clarín, 2017).

(2) Human Rights and International Law Violations

On November 2017, the government of Mauricio Macri issued a decree (Decreto 70/2017)⁴ banning immigrants and refugees from poor countries (Romero & Politi, 2017) while eliminating due process

guarantees of migrants, accelerating their deportation proceedings, and reducing their path towards citizenship in Argentina (Amnesty International, 2017-B).

The measure caused major controversy in the country due to three factors. First, it represented a major shift vis-à-vis Argentina's tradition to welcome and host immigrants—including 3,000 Syrian refugees. Second, it echoes President Trump's executive orders banning millions of refugees coming from the Middle East and Africa. And while the specific discriminatory ground here differs—that is, Argentina precludes migrants from entering the country based on their economic resources and likelihood of criminal conduct while the U.S. does it based on their national origin—both Presidents, Macri and Trump, stressed publicly the importance to put their countries first and protect their citizens from these foreign threats, which they consider responsible for the crime and economic challenges their countries face (Cue, 2017; Gentil, 2017; Amnesty International, 2017-B). Third, President Macri's restriction on refugees counted with political support, including a senator's proposition to build a wall in the northern border with Bolivia (Goñi, 2017).

In effect, Argentina's ban on refugees and migrants represents an unlawful state action under international public law because the economic situation or costs a refugee may produce cannot be considered as legal ground to claim or deny refugee status under the UN 1951 Refugee Convention and the UN 1967 Asylum Protocol—which Argentina ratified on 15 November 1961 and 6 December 1967 respectively.⁵ This restriction, essentially, creates a dangerous legal precedent. Moreover, the decree issued by President Macri's government establishes a summary procedure of deportation along with a legal basis to develop and build the first detention centre for migrants and refugees in Latin America.

However, after a very intense social and legal debate, the decree was declared unconstitutional by a Federal Tribunal on March 2017.⁶ Still, some organizations have denounced the application of the decree in certain provinces despite this judicial decision (see CAREF, 2018-A).

(3) Social Media Use

Of the 44,688,864-people living in Argentina, 93,1 percent—that is, 41,586,960—have Internet access; of them, 29,000,000 use Facebook (IWS, 2017).

Immigrants from different nationalities (e.g., Senegal, Colombia, Bolivia, Paraguay, Peru, Haiti, Dominican Republic) with the help of Argentinean citizens and human rights organisations came together to protest against the government's decree and to create associations promoting migrants' rights while denouncing the immigration policies on social media. This is the case of the National Network of Migrant Leaders or “Red Nacional de Líderes Migrantes” (@Red-Nacional-de-Líderes-Migrantes), Paraguayos in Argentina followed by 77,000 Facebook users (@Paraguayos-en-Argentina, 2018), and the Argentinean Commission for Refugees and Migrants CAREF or “Comisión Argentina Para Refugiados y Migrantes” counting 4,300 members across the country (@CAREF, 2017-A). The latter has been particularly active in documenting and denouncing government repression against Senegalese refugees (see CAREF, 2018-B) as well as arbitrary detentions of migrants (see CAREF, 2017-A). Following the government announce to build a refugee and migrant detention centre, CAREF along with other groups organised the national migrants strike or “Migrantazo” in 2017 (see CAREF, 2017-B).

(4) Challenges Ahead

While social media movements and vulnerable social groups in Argentina have been relatively successful in redressing patterns of human rights, refugee law, and international law violations, recent data show a negative view among Argentineans towards certain groups of migrants—particularly those coming from Colombia and Peru (UADE, 2018, p. 4). And while the government is enlarging Internet infrastructure to reach more locations across the country, the main challenge in terms of Internet access relates to the ostensible variation of costs between rural and urban areas (Jaimovich, 2018).

Conclusion

In the field of human rights, immediacy and exposure are critical. By exposing the perpetrator's actions in real time through social media, vulnerable social groups in Latin America are protecting, deterring, and even redressing patterns of human rights violations—this one is a core finding of my research. In the cases I analyzed, the exposure of an actual, historic, or potential human rights violation has led to social mobility, sociopolitical accountability, political deterrence and, in some instances, even social change. As such, impoverished social groups in Venezuela are using social media to survive while political opponents are using it to expose human rights atrocities, mobilize Venezuelans, and produce international reaction—both from countries and organisations—leading to diplomatic sanctions and official complaints on crimes against humanity before the International Criminal Court. Victims of conflict in Colombia and FARC rebels are using social media as a default mechanism of transitional justice to tell their story, accept responsibility, denounce human rights atrocities committed, and discuss openly and directly the implications of war and peace. In Honduras, women are changing the world of politics by using social media to develop tools of sociopolitical accountability and redress historic trends of gender violence and inequality. And in Argentina, minorities, migrants, and refugees are using social media to mobilize the public and redress hostile immigration policies.

Social media roles in society are also evolving—this one is another finding of my research. Social media general-progressive roles of communication, socialization, and participation have acquired a new set of emerging and specialized functions, which are particularly visible in the field of human rights. As such, social media specialized-emerging functions are enabling vulnerable social groups in the world's most violent region to protect their human rights by developing autonomic and self-evolving mechanisms used as e-forums for transitional justice, sociopolitical accountability, public policy discussions, political deterrence and even, humanitarian assessments. For instance, researchers are using social media in Venezuela to determine the number of refugees. Colombians are using social media not merely to express their views, frustrations, and fears vis-à-vis the transitional justice law, but further to discuss complex aspects of the FARC peace agreement and, in the process, understand the challenges they face.

Social media in Latin America is not immune to political manipulation. Notwithstanding the positive role social media accomplishes in the context of human rights protection in the region, social media platforms have been also used by some groups to spread rumors and distort the perception of reality. This was particularly evident during the time that preceded the signature of the FARC peace agreement in Cuba.

While Internet, in general, and social media, in particular, have been essential to protect human rights in Latin America; as human right, however, Internet is constantly violated and could be soon victim of its success. As it turns out, governments that found themselves exposed through social media

are developing public policies oriented at censoring, decreasing, or controlling both Internet access and content. For instance, the Venezuelan regime approved a law criminalizing public expressions—including those posted on social media—deemed to incite “violence,” “national hate,” or “public disturbance.” The Venezuelan government has been gradually blocking Internet access while diminishing Internet connectivity and infrastructure. The government in Honduras is developing a legal framework to control content on social media and restrict freedom of expression.

Consequently, the protection of human rights encompasses the protection of both Internet as a fundamental human right and social media as an emerging-specialized function enabling the protection of some of the most basic rights of some of the most vulnerable social groups and communities in Latin America.

Jose Mauricio Gaona, LL. B, M2, LL.M, DCL Candidate, O’Brien Fellow at the McGill Centre for Human Rights, Saul Hayes Fellow at McGill’s Faculty of Law, and Vanier Canada Scholar.

Notes

1. Despite representing only 8 percent of the world’s population, Latin America is the most violent region on the planet. 33 percent of homicides in the world take place in Latin America every year and of the 50 cities with the highest murder rates in the world, 43 of them are in this region (Muggah & Tobón, 2018: pp. 2, 6; Erickson, 2018).
2. STATISTA, *Number of Internet Users in Latin America From 2014 to 2019*, <https://www.statista.com/statistics/274860/number-of-internet-users-in-latin-america/>
3. *Ley Contra el Odio, por la Convivencia Pacífica y la Tolerancia*, Art. 20, ANC, Gaceta No. 41.274, 8 de noviembre 2017, <http://albaciudad.org/2017/11/este-es-el-contenido-de-la-ley-contra-el-odio-por-la-convivencia-pacifica-y-la-tolerancia/>
4. Decreto 70/2017. (2017). *Decreto de Necesidad y Urgencia*. Ministerio de Justicia y Derechos Humanos, Presidencia de la Nación, Boletín Oficial 33555 (January 30), <http://servicios.infoleg.gob.ar/infolegInter net/anexos/270000-274999/271245/norma.htm>
5. *UN 1951 Convention Relating to the Status of Refugees and UN 1967 Protocol*, United Nations Human Rights Council UNHRC, <http://www.unhcr.org/protection/basic/3b73b0d63/states-parties-1951-conventi on-its-1967-protocol.html> [Las visited, 30 July 2018]
6. *Decisión 3061/2017*, Centro de Estudios Legales y Sociales y Otros, Cámara Federal Judicial de lo Contencioso Administrativo, Sala V (March 22), <http://scw.pjn.gov.ar/scw/viewer.seam?id=tA%2FaS1ijXNRzWBbMktoclYpL1CCQITGHM1RS%2FZX%2BoCA%3D&tipoDoc=sentencia&cid=6990053>

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