GLOBAL INFORMATION SOCIETY WATCH 2011

INTERNET RIGHTS AND DEMOCRATISATION
Focus on freedom of expression and association online

*This edition of Global Information Society Watch is dedicated
to the people of the Arab revolutions whose courage
in the face of violence and repression reminded the world
that people working together for change have the power
to claim the rights they are entitled to.*

Global Information Society Watch 2011

JAMAICA

SAVING A PRIZED JAMAICAN WILDERNESS:
COMBINING INTERNET PROTESTS WITH LOCAL ACTIVISM

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Introduction

The Cockpit Country region in northwestern Jamaica has immense historical and environmental importance. Sparsely populated by rural farmers, it is regarded by geographers as:

> [T]he largest remaining intact primary wet limestone forest in Jamaica, and is the home to what is likely to be the only viable population of the globally endangered Giant Swallowtail Butterfly. Many of Jamaica's threatened birds are found there, including the endangered Jamaican Blackbird, and it is the habitat for 95% of Jamaica's endemic Black-billed Parrot population.[1]

Its vast and varied vegetative cover is considered to have significant medicinal importance. Additionally, the Cockpit area replenishes the aquifers of major rivers such as the Black River, Great River, Martha Brae, Montego River and Hector's River. These rivers supply water to at least three of Jamaica's fourteen parishes.

Against that background, this Jamaica country report outlines and explains the role of the internet, alongside other traditional media forms, in the advocacy and resistance of Jamaican lobbyists opposed to the government's granting of licences for bauxite prospecting in the Cockpit Country region.

Policy and political context

Though still in need of updating, Jamaica's policy frameworks governing the information and communications technology (ICT) sector and the environment are steadily reaching global standards. In 2010, the government launched its new ICT policy, which takes into account relatively new developments in ICTs and digital convergence. There is a Telecommunications Act (2000), an Access to Information Act (2002), the Electronic Transactions Act (2007), Cybercrimes Act (2010), and a Copyright Act (1993), all which occur in a context of ample freedom of expression guaranteed by the Constitution. The main legislation underpinning environmental regulation is the Natural Resources Conservation Authority Act (1991), which forms the basis for the establishment of the Natural Resources Conservation Authority (NRCA). In terms of the actual enforcement of the NRCA Act, the National Environmental Planning Agency (NEPA) has the lead responsibility.

Among the varying functions of the NRCA is to advise the minister on "matters of general policy relating to the management, development, conservation and care of the environment."[2] Additionally, Section 5 of the NRCA Act grants the minister power over the NRCA. This ostensibly compromises the autonomy and impartiality of the NRCA. If this is so, then in instances where the government authorises economic or social activity that may be deemed to have a deleterious impact on the environment, civil society and activists may have to intervene in the public interest, since the NRCA can be overruled by the minister. The central challenge, however, concerns balancing the need for environmental protection and the need for economic development and expansion, which is the main prerogative of the political directorate.

Internet activism and human rights

In December 2006, the Jamaican public was informed that the minister of agriculture had granted a prospecting licence to the mining company Alcoa. This news was not of itself unusual, excepting that the particular prospecting licence would permit Alcoa to explore for bauxite in the Cockpit Country, that area of significant national and international environmental significance so treasured by both historians and environmentalists.

Professor Michael Day, an international expert on geomorphology, is quoted as saying:

> The Cockpit Country is the international type-example of cockpit karst landscape, and is recognised world-wide as a unique and invaluable natural heritage. In addition to its iconic landscape status, it has great biological

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1   www.cockpitcountry.org/factsheet.html

2   Natural Resources Conservation Authority Act of 1991, p. 4.
    www.nepa.gov.jm/legal/nrca_act_Ipart1.htm

significance and plays a critical role in maintaining regional groundwater supplies and river discharges. It is probably the only near-pristine karst system remaining in the Caribbean. Additionally, the Cockpit Country has historical and cultural value as a hearth of resistance to colonial occupation.[3]

Beyond just the environmental ramifications, it was felt that the government's unilateral action violated the procedural rights of Jamaicans to be consulted and to be fully engaged in the process of determining whether the Cockpit Country area should be mined for bauxite. These rights are entrenched and guaranteed in the Universal Declaration of Human Rights (UDHR) and the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. The UDHR, while not explicitly outlining specific environmental rights, has successfully established reasonable indicators of the link between human and environmental rights when it states in Article 25: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services." The term "including" must be qualified, since it suggests that the reference is not an exhaustive listing of all factors that could reasonably be construed as being critical to the adequacy of an individuals' health and well-being, and could be further expanded to include the natural environment.

Despite Jamaica not being a signatory or party to the Aarhus Convention, the provisions of the convention bear direct relevance to the issue at hand. In Article 7, which deals with "Public Participation Concerning Plans, Programmes and Policies Relating to the Environment", the convention states:

> Each Party shall make appropriate practical and/or other provisions for the public to participate during the presentation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public. (…) To the extent appropriate, each Party shall endeavour to provide opportunities for public participation in preparation of policies relating to the environment.[4]

Clearly, given the environmental and historical significance and worth of the Cockpit Country to the material well-being of Jamaicans, they had a procedural right to be consulted in the process of evaluating Alcoa's application for the prospecting licence. Civil society and environmental activists were therefore forthright in their demonstration and refutation of the government's position. And, through this protest and advocacy, they succeeded in forcing the government to withdraw the prospecting licence and establish a process for consultation and wider stakeholder participation. But how and in what ways were the internet and other media crucial to the success of the campaign to save the Jamaican Cockpit wilderness?

Democratising access and the amplification of grassroots voices

Since its emergence less than two decades ago, the internet has given rise to a form of bottom-up grassroots politics among environmental advocates and concerned citizens globally, including in Jamaica and in the diaspora. This grassroots politics is characterised by direct participation, self-organising and community action. For instance, a "Cockpit Country.Org" website was launched which contained a "Save the Cockpit Country" online petition. The website was used as a central repository of information about the Cockpit Country, and contained documents such as letters to various stakeholders and press releases.[5] Other mainstream media were used, such as newspaper articles and letters to the editor, but the new global media networks extended the reach of such local print inputs and helped overcome the circulation bottlenecks involved in only relying on traditional media forms. The internet was able to galvanise, in a more systematic and widespread way, support from a disparate number of individuals and groups in support of preserving the Cockpit Country. For instance, in the online petition, there were comments from locally based individuals but also Jamaicans and others living outside of the country, in such faraway countries as the Netherlands and Poland.

Clearly, unlike other traditional media platforms, the internet is proving and has proven to be among the most effective media to influence public policy and to also assert people's right to be consulted on issues with an impact on their material well-being, ecosystems and historical heritage.

Additionally, the Cockpit Country petition and advocacy campaign lend support to the notion of

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3   Cited in a letter from Wendy Lee to NRCA Chairman James Rawle, 2 November 2006. www.jamaicancaves.org/NJCA_Cockpit-Country_Concerns.pdf

4   Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998) www.unece.org/env/pp

5   www.cockpitcountry.org

the emerging "global citizen": an individual who believes that by virtue of our global ecological interconnectedness, one has the "right" to comment and influence policy and decisions concerning the environment in foreign jurisdictions when they may have implications for the entire global ecological system. An example here in the context of the Cockpit Country story is the concern that many natural scientists have about the continued existence of the Giant Swallowtail butterfly, the largest in the western hemisphere. This butterfly can be found only in two parts of the world. It is for this reason that many natural scientists in the Western hemisphere are also opposed to any form of mining in the Cockpit region. Clearly, these concerns and the articulation of them transcend just the concerns of native Jamaicans, to that of the global citizen, and these global expressions of concern were enabled by use of the internet.

Presence and prominence

Faced with limited resources, the leading activists against mining in the Cockpit Country resorted to low-cost internet campaigns that provided a presence among their respective publics: other international environmental advocates, governments, civil society and ordinary Jamaicans, both in the country and in the diaspora. In addition to the online activism, the internet was also used to post material about the groups' offline activities, such as community consultation sessions, and scanned hardcopy petitions by residents of the area against the proposed mining activities. Uploading these offline activities online was found to embolden others elsewhere in Jamaica to join in the process and to lobby the government against giving the go ahead for the start of mining in the Cockpit Country region.

Public education and environmentalism

By far one of the most critical ways in which the internet has been used in the struggle for human rights in the Cockpit Country mining episode is the level of public education about the need for environmental conservation it enabled. The main advocacy website, for instance, contains copious amounts of information about environmental organisations and their work as well as key information about the Cockpit Country and the need for its preservation. A large number of Jamaicans and others who have visited the website have been exposed to the information about the critical need to preserve the natural environment, and in particular the Jamaican Cockpit Country.

Conclusions

Through this instance and others, the internet is being confirmed as a key tool in mobilising public support for environmental, political and ethical causes. Through what are often called the "social networks", activists have been able to go well beyond the social to make them political and advocacy channels that belie their innocuous designation. It is these channels on the internet that in recent times facilitated a successful uprising in Tunisia and Egypt, and which continue to be used where available to mobilise not just local but global public opinion and support for specific causes. They have helped to bring about transparency in many locales by virtue of ordinary citizens digitally capturing events and activities that are illegal or contrary to the tenets of the UDHR.

In more general terms, the main way in which we see the internet helping in securing human rights is through the empowerment of citizens to lobby for their procedural rights to be engaged and included in policy discussions about issues that bear direct relevance to their history and livelihoods. At the same time this global information channel can be used by governments to better consult their constituents on varying policy decisions, once access to the internet is available to wide segments of the population.

However, despite the potential of the internet in enabling both substantive and procedural rights of citizens in Jamaica, and elsewhere, certain critical access limitations remain. Digital divides persist between those Jamaicans living within the country and those residing in the global industrial countries. Similarly, there is a persistent divide between those Jamaicans who live in urban centres and those who reside in the poor rural communities bordering the Cockpit Country. A 2011 study of Jamaican ICT indicators suggested that while individual internet access in all locations was 42%, only 16% of Jamaican households currently have access to the internet. The study also showed that there was an 18% differential in internet access in favour of those individuals who live in urban centres over rural Jamaican residents.[6]

The internet was therefore useful in the Cockpit Country struggle, but mainly through its use by elite lobbyists and advocates, linking this new medium with traditional channels and information and advocacy methods. Any repeat of the mining scenario

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6   Dunn, H., Williams, R., Thomas, M. and Brown, A. (2011) *Caribbean Broadband and ICT Indicators Survey*, Telecommunications Policy and Management Programme, University of the West Indies, Jamaica.

in the Cockpit Country should see ordinary citizens being able to use new media in their own online environmental campaign. But whether this happens or not will depend on strategic measures implemented to improve rural ICT access in Jamaica. In the meantime, the victory over Alcoa and the government of Jamaica remains a notable one, facilitated through use of the internet by those citizens with access to this technology.

Action steps

The advocacy campaign to save the Cockpit Country in Jamaica has thrown up some key action steps that must be taken by ICT and environmental activist networks. Some of these include:

- Intensifying the lobby against any future attempts to re-impose a mining licence for transnational companies that would decimate prized historical and environmental resources.

- Intensifying public education around both media literacy and environmental advocacy among all sectors of the society.

- Internet-based environmental and ICT activists must continue to develop innovative ways to achieve similar levels of influence using both traditional and new media forms; this may mean engaging more intensively in community activities and struggles and showcasing these online.

- Public, private and civic measures to increase effective access to the internet by residents of rural Jamaica, including those in the Cockpit Country region.

- The potential of ICTs, in particular the internet, should be further explored for other beneficial uses and applications besides campaigning through a partnership between environmental activists, government and the community.

- Together with the community, alternative sources of economic survival and growth for residents of the Cockpit Country region should be explored. ◾

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