

**Ford Foundation**

*Challenges and Opportunities for Freedom of Expression:  
How Communications Changes Are Affecting Us All*

**Report on the  
US Delegation Orientation Session and Participation in the  
Global Partners Freedom of Expression Project Workshop**

**Buenos Aires, Argentina  
May 8-10, 2007**

**Prepared by: Gene Kimmelman and Roanne Robinson Shaddox**

*“the visit to Buenos Aires for the workshop opened a window into new concepts and perspectives on freedom of expression and media policy.”*

*“On a basic level, the sameness of the questions and sameness of some of the struggles made me feel good about the work we are doing. Viewed outside a moral lens and looking at basic structural media critique I see citizens with different experiences and different recourses fighting very similar fights. This makes me optimistic about our strategic choices (more media, local media, media free from influence, competition in the marketplace, strategic regulation).”*

These reflections from two participants in the Global Partners Freedom of Expression Workshop in Buenos Aires illustrate some of the intellectual excitement generated by three days of immersion in formal and informal discussions across a wide range of communities about how communication technologies are affecting freedom of expression. By assembling diverse and knowledgeable people from numerous countries with expertise ranging from media to communicating technology to public policy and wide range of immediate questions:

- What does my work and experience have to do with these other people and why are we asked to talk to each other about something so vague and amorphous as “freedom of expression”?
- Why doesn’t everyone see the obvious link across communities and see the clear interdependence of media content with communication technology to unite our efforts in one concrete global campaign for specific rights?

As workshop presentations and conversations elicited both theoretical and practical debate between the two differing perspectives between and surrounding these views, participants left their day-to-day worlds and were encouraged to ponder what might connect them to the struggles, challenges and beliefs presented by their colleagues. Challenged to consider what might unite different communities around the world who share values designed to protect creative expression and enhance access to knowledge, workshop participants offered numerous ideas that could move this conversation forward towards a more concrete global effort to promote these values, such as (and these are just a few examples, not an exhaustive list):

- Establish a set of global principles/goals for each layer of the networked world (the physical “wires;” how networks connect with each other; the applications we use on them; and the content itself);
- Develop a set of case studies from specific countries that provide examples of best practices/rules or fundamental breaches of important principles/goals related to freedom of expression, and disseminate this information on a global scale;
- Identify technologies – from “low to high” – available that could be made available to local or national struggles to promote diverse expression/expanded communications, and provide expertise to take advantage of such technologies; and
- Propose a global charter, taking full advantage of existing international charters (the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights), to help promote individual struggles to promote freedom of expression.

One participant from the U.S. delegation to the Workshop concluded that the gathering helped to deepen her commitment to four fundamental beliefs:

1. Freedom of expression is a basic human right.
2. The role of the state is critical to secure a public sphere of communication.
3. There is a strong need to set up mechanisms of regulation at the global level.
4. Civil society should be proactive to secure a public space of communication where there are open exchanges of ideas and opinions to benefit public welfare.

And the experience of the U.S. delegation may best be summed up by one participant:

*“On the day I was to leave Buenos Aires....I found myself caught up in three different political marches and organized peaceful protests at the Argentine presidential palace. Then I walked along the pedestrian streets of BA and marveled at the enormous talent of the many street musicians and performance artists of BA. It was the perfect reminder about what this is about: developing policies to promote individual creativity and diverse expression in the Information Age.”*

On behalf of the entire U.S. delegation to the Workshop Consumers Union wishes to thank the Ford Foundation and the Institute of International Education for supporting our participation in the exciting and enriching discussions about freedom of expression in Buenos Aires May 8-10, 2007. The following report describes the many Workshop events and U.S. delegates' reports about their individual reflections on what they learned during the Workshop.

US participants in the May 8, 2007 Orientation Session and May 9-10, 2007 Latin America Freedom of Expression Project Workshop in Buenos Aires, Argentina included:

- Gene Kimmelman, Vice President, Federal and International Affairs, Consumers Union (head of US delegation)
- Christopher Murray, Senior Attorney, Consumers Union
- Roanne Robinson Shaddox, Principal, RRStrategies (consultant to Consumers Union)
- Joe Karaganis, Program Director, Social Science Research Council
- Hye-Jung Park, Program Officer, Media Justice Fund, Funding Exchange
- Caroline Frederickson, Director-Washington Legislative Office, American Civil Liberties Union
- Jacquie Jones, Executive Director, National Black Programming Consortium
- Jenny Toomey, Executive Director, Future of Music Coalition
- Kevin Westin, Director of Youth Media, New America Media
- Jake Shapiro, Executive Director, Public Radio Exchange
- Robin Gross, Executive Director IPJustice
- Becky Hogge, Executive Director, OpenRights Group

Guests to the Orientation Session included Becky Lentz, Orlando Bagwell, Kate McFate and Joyce Nyairo of the Ford Foundation, and Andrew Puddephatt, Lisa Horner and Kate Wilkinson of Global Partners and Associates (Workshop organizer).

### ***Overview of US Delegation Orientation Session***

On May 8, 2007, a delegation of US civil society activists, through a travel grant from the Ford Foundation *Institute of International Education (IIE)* portfolio, gathered in Buenos Aires, Argentina for an Orientation Session in preparation for the Global Partners Latin America Freedom of Expression Project Workshop. The Workshop was one of a series of discussions being held on behalf of the Ford Foundation during the summer of 2007 to explore the implications of the development of digital networked communications for the human right to freedom of expression (FOE).

Several members of the US delegation had known each other for some time, while others were new to the larger media policy, media justice and human rights environment. As a result, the purpose of the Orientation Session was to:

- Build trust and relationships among the US delegates, many of whom were new to the Global Partners Project and/or each other's body of work;
- Allow them to "see" experientially rather than just intellectually how their work factors into global freedom of expression issues; and
- Educate and orient them to the goals of the Freedom of Expression Project and the region and its issues from a political, economic and human rights perspective;
- Help them understand their role(s) and responsibilities at the larger two day Workshop.

Throughout the course of the five-hour session, participants presented their understanding, concerns and perspectives on their efforts to advance freedom of expression for their particular constituencies. The Orientation Session and Workshop represented the first time that such a diverse group of individuals and entities had come together for the express purpose of discussing freedom of expression issues, particularly in the Latin America environment.

Prior to arriving in Buenos Aires, US delegation members received several written reports, including “*Shaping the Networked World: Drivers of Changes in the Networked Communications Environment*” prepared by Global Partners, and a “*Preliminary Diagnostic On the Media in Brazil*” and “*Public Interest Media Activism and Advocacy as a Social Movement*” produced for the Ford Foundation.

### ***Discussion of US Policy and Content Issues***

Following welcome and context-setting remarks by representatives of Consumers Union, who served as the organizer of the US delegation, and the Ford Foundation, all attendees were asked to provide a brief introduction on the work that they do, in order to help participants understand the connections between each others work and see the potential for future collaborations. While several attendees have worked at the international level, only one had attended the first Global Partners Freedom of Expression Workshop held in Manchester, England.

Following introductions, two questions were posed to all attendees for consideration and discussion:

- *If you're a policy person, what are you trying to do, or think is necessary to do, that would help get what you view as valuable content to reach the mass market, whether a local, statewide, national or global mass market?*
- *If you're involved in content, how can you grow to reach a mass market, whether local, state, national or global? What would you imagine it taking for you to accomplish that work?*

In response, participants held a free-flowing discussion, offering a wide range of perspectives that reflected the diverse backgrounds and issue areas in which they worked. Although they hail from very different backgrounds, all attendees clearly share a passion for wanting to improve the public's access to, and ability to develop, information and content through new and traditional means of communications. By pressing participants to consider bridging the worlds of content and communications infrastructure, a vibrant debate about how content and the technologies of communications are intertwined ensued. Many viewed their work as overlapping the policy and content arenas – and viewed content not just in the creative context, but also in the context of creating content for use by policymakers and decision makers.

One participant stated that his organization is working to “enable creators to create once, publish everywhere” by providing the creator of an audio documentary, for example, with the ability to use the Internet to make their work widely available and to get around the bottlenecks of

traditional broadcast media. However, in the effort to get content out to the masses using new technologies, they are confronted by legal barriers, such as when a radio story is cleared for broadcasting rights, but may not be covered in the digital environment. Another participant stated that her organization is dealing with an aging membership population, so has turned to the Internet, and tools such as MySpace, to engage younger audiences in their issues.

Finding “trusted agents,” who can help spread information to new communities, was cited by another participant as being important in the new media space. For example, her organization receives numerous inquiries from abroad about the issue of net neutrality (an issue that all participants agreed is vital to the advancement of freedom of expression in a networked environment), but lacks knowledge about the impact of the issue on other countries. They would find tremendous benefit in connecting with an organization that would be willing to reframe the issue to artists around the world. Reflecting the overlap in content and policy, another participant noted how his organization is helping to connect ethnic youth media with policy makers and advocates at the local and national level. They use bi-weekly conference calls and a speaker’s bureau to enable youth media to write better stories by accessing government officials working on issues of concern to their communities, including immigration, juvenile justice, foster care and mental health.

One participant stated that “stories” were the most important tool for getting her organization’s message out to the public and that she didn’t see a distinction between “artistic creativity and public information creativity.” This prompted the question: is there a distinction between creating product and how that gets out into the world versus the creation and distribution of information that people need for policy and decision making? The question stemmed from a concern being heard at the state and local level that journalists are doing less investigative reporting and instead expecting stories to be pre-packaged and sent to them by organizations. Local organizations that do not know how to package and distribute their policy content are at a disadvantage in this new environment. Most participants felt that in the US it is quite acceptable, if not outright essential, for policy and advocacy organizations to proactively develop and market their content to journalists, particularly information they deem important for policy and decision makers. However, one participant noted that while her organization does what it can to make it easy for journalists to “connect the dots,” in the United Kingdom, any attempts to pre-package stories for journalists would insult their intelligence.

Participant discussion turned to the concern over the drop in investigative journalism, which prompted one participant to ask: where can people turn to find in-depth analysis of issues that no longer can be found in traditional media spaces? In response, one participant stated that her organization is working with other public media organizations to redefine what public media means in the networked environment – rather than simply focusing on broadcasting shows over television, they want to use new media and technologies to bring all public media content about a particular issue of concern into one place. Finding the process of collaboration and overlaying web and broadcast content promising, the participant further noted that “...when you have ten pieces of media from ten different perspectives about the same issue, that’s a very different experience than looking around for a five-minute clip on YouTube.”

One participant stated that media consolidation has forced many journalists to simply cover stories produced by other journalists, because it's "...a lot less expensive to take a well researched story by the New York Times and put pictures to it." All participants agreed that freedom of expression is impacted by the ability to find and convey information and that the disinvestment in investigative journalism resulting from media concentration means that people will have to look harder to find content that once was produced and fed by traditional media outlets. One participant observed that the "currency of the web is relevance," and that organizations must develop strategies for organizing their information, much the way Google organizes information, if they want to be effective in getting their message and content out to the masses. He added that commercial media spends millions of dollars on optimizing search engines on the Internet, but that their efforts are often "defeated by the blogs that are out there when people are engaged in genuine conversation in those spaces."

Another participant stated that with people turning to new media, blogs and other sources of information, questions are being raised "about how those filters are being produced and professionalized" and that the "need for trusted intermediaries is stronger than ever." One participant questioned whether or not people are actually searching the Internet for news, or simply reading the New York Times online, while another participant stated that in her community, Native Americans tend to rely on only one or two web sites for aggregated news and information about Native issues found in both mainstream media and local Native press. She added that in the Native community, any discussion about freedom of expression issues must be accompanied by a discussion about infrastructure policy issues, given the great disparity in access to telecom and media on tribal lands. This prompted another participant to suggest that searching for content doesn't always have to be web-based – she uses a cell phone and text messaging to receive Korean language news and information about topics critical to her community.

Despite the opportunities for people to find, aggregate, and become creators of news and information, all participants agreed that the demise of traditional investigative journalism is an unwelcome trend. One participant called the situation "frightening," given her organization's reliance upon in-depth coverage of major issues by newspapers, such as the New York Times and The Washington Post, and that covering issues such as the National Security Administration's illegal spying operations cannot be an "amateur function." Participants also discussed whether or not the newspaper industry truly is in decline, or if this is an "urban myth" being perpetuated by those wanting to justify cuts in staff and investigative news reporting. Another participant noted that one interesting outcome of the decline in newspaper readership is that one out of every four Americans is turning to ethnic media as a primary source of information, according to a poll conducted by his organization.

Overall, participant discussion yielded several suggestions for how to use new media, and relationships in and around media, to expand audiences and spread information and content, and to get around traditional mainstream media. At the same time, participants recognized the value of traditional mainstream media for breaking stories, performing investigative reporting, and highlighting major issues. One participant found it interesting that no one had suggested regulation of the media as a solution for any of the issues identified during the course of the discussion. Not even to address the recent incident involving shock jock, Don Imus, who is not

the first or last to use offensive language over the airwaves. Instead, participants observed that the marketplace tends to deal with such issues, such as when advertisers pull their support for certain programming in response to public outcry.

Following the discussion of US policy and content issues, participants heard from the organizers at Global Partners on the goals of the Freedom of Expression Project, Latin American issues around freedom of expression and human rights, and their roles and responsibilities during the two-day Workshop, including how to structure meaningful interventions by putting information into a context that can be understood by their Latin American colleagues. The briefing included an overview of key international concepts, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights that protects the right to express ourselves in words, music, plays etc., and guarantees that we can receive and exchange ideas and information.

The briefing also included a review of Global Partners' "*Shaping the Networked World*" paper. The paper proposes a "four layers" model through which to discuss the networked communications environment and understand the implications of its development for freedom of expression. Participants learned that the model views the environment as four layers:

- The physical network infrastructure (cables, wires, general hardware)
- How it connects with itself (the protocols that enable devices and networks to talk to each other)
- How we use it (the applications that help make the content available, e.g., the search engines that guide communications)
- The content itself (data, images, music)

All participants agreed that the Orientation Session was a helpful way to reflect upon where their personal experience fits within broader US policy debate, to understand freedom of expression issues in the context of the global environment, and to prepare for the issues and interactions with their Latin American counterparts that lay ahead during the two-day Workshop.



*Day One - Welcome Dinner for US and Latin American Delegates*

### ***US Delegation Workshop Reflections***

Based on their reflections, participants found the three days of interactions with US and Latin American colleagues to be extremely helpful and informative. One participant commented that “the visit to Buenos Aires for the workshop opened a window into new concepts and perspectives on freedom of expression and media policy.” Other participants called the experience “inspirational,” “enriching,” and “eye-opening.”

Participants agreed that their Latin American counterparts are facing struggles not generally understood or experienced in the US (e.g., intimidation, corruption, political and legal threats, bureaucratic barriers, and extreme self-censorship in the media and human rights environment), where we enjoy a robust public media space and First Amendment freedoms. This prompted one participant to write:

*“As an active participant in the evolving “public media” field in the US, I initially struggled to understand that there is no direct comparable sector in Argentina and most Latin American countries. The tightly limited spaces between government-controlled media and monopolistic commercial media do not yet add up to a robust independent civic media culture....by comparison, the US public media sector has a strong identity and despite many difficult pressures seems to have carved out an important and recognized role for a large part of society.”*

However, for one participant working in public media, the issue of government interference in media and freedom of expression struck a strong chord. Prior to the participant's arrival in Buenos Aires, she had experienced an attempt by the US government to exert influence over the content of a television show to be aired on the Public Broadcasting System. As a result, she arrived in Buenos Aires with a deeper appreciation for the issue of what is the appropriate role of government in regulating access and diversity in public media, particularly given the historical and contemporary examples of censorship of information in Latin America.

Several participants also believed that having a deeper understanding of the Latin America and global media environment would be helpful to enhancing their work in the US and to connecting their work worldwide. They also found value in the opportunity to compare and contrast the Latin American and US media model, which prompted one participant to note:

*“On a basic level, the sameness of the questions and sameness of some of the struggles made me feel good about the work we are doing. Viewed outside a moral lens and looking at basic structural media critique I see citizens with different experiences and different recourses fighting very similar fights. This makes me optimistic about our strategic choices (more media, local media, media free from influence, competition in the marketplace, strategic regulation).”*

Participants offered diverse views on the structure and goals of the Workshop and on the value of using FOE as a framework for discussion. One participant had difficulty with the diverse set of issues and audiences that were brought into the FOE dialogue, and was not sure whether there was clarity about what the goals of the meeting really were. Was it about:

- Older freedom of the press FOE versus newer information communications technology (ICT) issues, and the usually very different groups that work on them.
- Educating internal Ford audiences about this relationship versus the goal of getting the participants to meaningfully connect.
- Latin American versus US groups, and whether there are meaningful bases for collaboration and/or comparison.
- Relationship between national/regional frameworks and international ICT governance.

The participant felt that FOE provided a “thin conceptual umbrella” for discussing the issues, that the Workshop structure did not allow enough time to consider “FOE as a strategic concept with specific instruments and uses,” and questioned the value of talking about intellectual property, the Creative Commons model, or Internet governance as a FOE issue, as distinct from a democratization issue, a development issue, or a “communications rights” issue, which has unique resonance in Latin America. On the other hand, one participant found the discussions on intellectual property issues quite relevant, noting that there was a “striking contrast between the way my colleagues and the music community articulate these issues and the way the developing world does.” Yet another participant felt that when debating IP issues in the digital age, the term “access to knowledge” is more useful than “freedom of expression.”

Another participant initially felt that the complexity of FOE topics was too diffuse, but later acknowledged that pulling together diverse issues under the FOE framework actually made a lot of sense, as it “enabled us to see the broad tapestry of conditions, obstacles, and opportunities that exist in different societies, where the similarities lie, and where there are vast differences.” While another participant believed that the Workshop organizers did a good job of framing the discussion using the “four layers” model, she felt that because FOE is such a broad concept, a more narrow discussion focus would have been preferred.

Other participants agreed that the four layers model was a good tool for considering and analyzing the complex interactions between the technology, policy and business modes in media today, and stated that more case studies and real world examples would be helpful to the discussion, as well as hearing directly from those working in the more traditional FOE and human rights sector. One participant noted that the gathering deepened her commitment to four fundamental beliefs:

- Freedom of expression is a basic human right.
- The role of the state is critical to secure a public sphere of communication.
- There is a strong need to set up mechanisms of regulation at the global level.
- Civil society should be proactive to secure a public space of communication where there are open exchanges of ideas and opinions to benefit public welfare.

Finally, participants noted that they would have liked to have heard more discussion about the power of the Internet as a tool for leveraging independent voices and freedom of expression and that it appeared that the Latin American delegates had little direct experience with using the Internet to produce or consumer media and culture. As a result, missing from the debate were key concepts such as collaborative media and the potential for the web environment to be used as a tool to address many of the challenges faced by Latin Americans in their struggle for access to communication. Participants also found missing “examples of the dynamic media that is having real impact in different parts of the world, regardless of the delivery systems” and that while there was some discussion of community radio in Brazil, there was not the strong “sense of the flavor or power of it,” as one would have liked. Another participant noted that, with all the excellent activists and academics present, it would have been great if they could have spent more time “finding the commonalities between the groups’ respective work and...brainstorming on potential transnational campaigns and connections” around topics such as intellectual property or threats to journalism.

## ***Conclusion***

All participants found the three day gathering to be useful for expanding their knowledge about regional media policy and freedom of expression issues and for making new connections with key professionals from the US, UK, Latin American and Africa, who, as one participant noted, “hold a shared mission of promoting freedom of expression and other human rights in communications technologies.” One participant commented that “before the forum, there were names of people and organizations you heard for a few years without seeing them face-to-face. One of the most positive outcomes of the gathering is the linkage of like-minded individuals and organizations, who fight for freedom of expression and the exploration of future collaborations.”

Another participant found inspiring the constant theme of encouraging freedom of expression in the face of monopolization, self-censorship, and lack of access, and the efforts of people around the globe working to “create alternative networks that create community around progressive media and empower people.”

The experience of the US delegation may best be summed up by one participant:

*“On the day I was to leave Buenos Aires...I found myself caught up in three different political marches and organized peaceful protests at the Argentine presidential palace. Then I walked along the pedestrian streets of BA and marveled at the enormous talent of the many street musicians and performance artists of BA. It was the perfect reminder about what this is about: developing policies to promote individual creativity and diverse expression in the Information Age.”*



*Day Two – US Delegation Dinner*

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**Freedom of Expression Project Workshop  
Buenos Aires, Argentina**

**US Delegation Orientation Session**

May 8, 2007

1:00 pm to 6:00 pm

Salón Luis Alberto Room

Tower - 6<sup>th</sup> Floor

NH City Hotel and Tower

(Tower is connected to the Hotel)

**Participant's Agenda**

**1:00pm-1:15pm Welcome**

Gene Kimmelman, Vice President for Federal and International Affairs, Consumers Union

- Provide context for the day – why we are here
- What are the desired outcomes for the day
- What are participant roles and responsibilities to ensure a successful session and Workshop

Becky Lentz, Program Officer for Media Policy, Ford Foundation

- History of Freedom of Expression Project within her portfolio
- Why they are here and how this all connects - the logic behind it

Orlando Bagwell, Deputy Director, Media, Arts and Culture Unit, Ford Foundation

- A brief history of his initiative and funding
- The logic of the connection

**1:15pm-2:30 pm Introductions**

Roanne Robinson Shaddox, consultant to Consumers Union

- Round 1: Roanne will ask everyone in the room to state their name, organization, and what motivates them to do their work. (*1 minute each based on 20 people in the room*).
- Round 2: To help participants understand the interconnectedness of each others work, where our work is different, and begin to see the potential for future collaborations, Roanne will ask the twelve (12) US delegation member to (*5 minutes each*):
  - Discuss the work that you do

- How your work advances the goal of freedom of expression and any challenges to achieving that goal
- How your work currently or potentially factors into the global environment

**2:30pm-2:45pm**                      **Break**

**3:00pm-5:00pm**                      **Overview of Freedom of Expression Project & Workshop**

Andrew Puddephatt, Global Partners and Associates

- In order to help participants gain a full understanding of the project goals and Latin American issues around freedom of expression and human rights, Andrew will provide an overview of:
  - The project’s history/vision/mission
  - Regional attendees/perspectives and related cultural/social issues
  - Workshop agenda (content, format, set-up, etc.), including US delegation member roles and responsibilities in contributing to the success of the meeting
  - Clarify any questions from US delegation members regarding the Latin American situation.

**5:00pm**                                      **Break**

**5:15 pm-6:00pm**                      **Closure**

Gene and Roanne will cover any dangling issues or questions from a substantive or logistical perspective. Time permitting, US delegation members will be asked to speak briefly to:

- what was most valuable for you about today?
- what are you most concerned about?
- what are you most excited about for next two days?

**6:00 pm**                                      **Adjournment**

## **FREEDOM OF EXPRESSION WORKSHOP AGENDA**

### *Challenges and opportunities for Freedom of Expression: how communication changes are affecting us all*

Venue NH City and Tower Hotel, Bolivar, 160, C1066 Buenos Aires, Argentina

Hosted by Global Partners and Asociación por los Derechos Civiles (ADC)

### **Programme**

Tuesday 8<sup>th</sup> May 2007

- 13:00           **Orientation for US participants**  
Salon Luis Alberto room located in the tower next to the NH City Hotel in Bolivar 120, 6<sup>th</sup> floor (buildings are connected).
- 20:30           dinner (for all delegates organized by Global Partners)

**Wednesday 9<sup>th</sup> May**

Focus on the Latin American landscape – challenges and opportunities

- 09:30           **Introductions**  
Roberto Saba ADC  
Andrew Puddephatt Global Partners, who will introduce the background to the project
- 10:15           **Session One: Introduction to project and key concepts** – what is the communications environment in Latin America and how does it affect freedom of expression?  
  
**Eduardo Bertoni** – free expression issues in Latin America – this introduction will sketch out the key challenges to freedom of expression, to include legal and indirect restrictions, monopoly ownership, regulation in the field of alternative media etc.  
  
Presentation and discussion
- 11:45           break
- 11:30           **Session Two**  
**Overview and discussion of free expression issues in Latin America** to enable a common understanding of the obstacles and challenges to the realisation of freedom of expression in Latin America. The topics will include

- the impact of media concentration and monopoly ownership, upon freedom of expression **Guillermo Mastrini, University of Buenos Aires**
- direct and indirect censorship and their effects, including the descuado laws **Ricardo Uceda and Damián Loreti**
- the view from the USA – comparisons and contrasts **Gene Kimmelman, Consumers Union**

13:00 Lunch

14:30 **Session Three:  
Responding to the challenge.**

This session will examine, through Latin American and global case studies, how people have responded to the challenges and obstacles set out in the first session (Latin and US contributors). Such case studies could include

- the importance of new communications technology (particularly the internet) and the opportunities it presents in Latin America **Graciela Selaimen, Rits**
- the importance of community radio across the region and its impact **AMARC speaker, Graca Rocha (in Portuguese with translation)**
- Providing public content in a private, monopolised media environment **Jacque Jones, The National Black Programming Consortium**
- innovative approaches to IP – what initiatives can bypass attempts to restrict availability of content **Joe Karaganis, Social Science Research Council**

Presentations followed by Q&A and discussion.

17:00 Close

Evening Dinner

**Thursday 10<sup>th</sup> May 2007**

## **Day Two: The networked communications environment**

### **9.30 - Session Four**

#### **Introduction to the networked communications environment:**

- 1) Understanding the networked communications environment as a series of layers.
- 2) What are the main issues for freedom of expression at each of the layers?

- Physical (Control of infrastructure, including competition, investment, charging)
- Connectivity (Interoperability, open standards)
- Applications (Direct control of access to content)

- Content (Issues affecting the nature of the content available: copyright, fracturing of public opinion, quality of information and discussion)

**Lisa Horner Global Partners**  
**Gustavo Ginder Indecs**

**11.00 –** break

**11.30 –** **Session Five**  
**The drivers of change**

What are the main regulatory and economic factors that are affecting access to and use of communications, and what would be the best regulatory environment to promote access and use for freedom of expression?

- The economics and regulation of:
  - The internet **Robin Gross**, IP Justice, **with input on Latin America from Gustavo Ginder**
  - Digital radio and television **Gustavo Gomez, Amarc**

**13.00 - Lunch**

**14.00 –** **Session Six**  
**Implications of the networked communications environment for freedom of expression.**

1) How can we create an environment conducive for democratic social action?

2) How can we create an environment that promotes diversity and plurality of content whilst maintaining a civil public sphere?

Discussion with **Martin Becerra**, **Ariel Vercelli**, **Hye Jung Park** - Funding Exchange, **Jenny Toomey** - Future Music Coalition, **Kevin Weston** – New America Media

**16:30 -** **Conclusions and next steps** – (Linking back to the key challenges and opportunities in Latin America that were outlined on day one)

**17:15** Close

**17:30** Focus Group with randomly selected participants, not funders (organized by Global Partners)

**18:00** GP/ADC meeting with Ford staff and other donors.

**Friday, May 11, 2007**

No activities (focus group session scheduled for this morning has been moved to Thursday evening).

## US DELEGATION REFLECTIONS

### *Challenges and opportunities for Freedom Expression: How Communication Changes are Affecting Us All*

**Caroline Fredrickson**  
**Director, Washington Legislative Office**  
**American Civil Liberties Union**

The Benefit of the Global Perspective: I have always believed that comparative international perspectives are critical for developing better domestic policies. In college, I majored in Russian and East European Studies; my mother is French and a retired professor of French literature; my father is an historian who writes on race relations from a comparative perspective; I had a fellowship in India with a women's rights organization while in law school; and I have traveled extensively. As a fellow of the Robert Bosch Foundation in Germany after graduating from law school, I spent a year working with experts in German labor and employment law, which gave me a much better understanding of the uniqueness of the American system – and that its structure is in now way inevitable or unchangeable. Thus, at least, early on in my career, I had the opportunity to integrate other national and international perspectives into my work.

Upon return from Germany, however, I began to work in politics, a realm that unfortunately has little regard for consideration of alternative models to the American paradigm. American politicians shy away from discussions of comparative policies; for some, international policymaking bodies are anathema, with the United Nations being extremely unpopular in parts of the country. So for my years on Capitol Hill, I had little freedom or opportunity to consider domestic policies in light of other country's practices or international norms.

Now, as a senior staff member of an organization that is devoted to freedom of expression, I find it very helpful to return to a comparative analysis in the area of free speech. The work of the American Civil Liberties Union is strengthened both through better appreciation of alternative models for protecting expression but also through use of international mechanisms to improve our system directly, such as international bodies that set norms or assess compliance with international or bilateral agreements.

While some American politicians continue to disparage international bodies and norms, that does not mean that criticisms by foreign governments or scrutiny by global entities have no influence in the United States. Thus, international pressure or attention to American shortcomings can help generate political momentum by awakening the liberal media and other elites who can then help translate the criticisms for domestic consumption.

Thus, as a lobbyist, it is useful for me to be able to draw on global perspectives, which can help either directly in my lobbying or indirectly through the mediation of the American newspapers and intellectual elite.

At the ACLU, we have worked to develop international connections in a range of areas, but primarily through our legal department, which appears before international legal institutions or relies on treaties and covenants in American courts. In the Washington Legislative Office of the ACLU, we have traditionally had less contact with organizations and ideas from outside of the United States, although occasionally we have hosted international visitors, brought our foreign legal clients to meetings on Capitol Hill, or made formal presentations on domestic legislation before visiting international officials. The FOE seminar provided helpful connections for me that will, I hope, enable me to expand the scope of our lobbying work to include international perspectives and use foreign governments and other institutions to exert pressure on our own.

The FOE Seminar: In retrospect, the FOE seminar seems more and more successful. As a meeting of people from several continents, representing different fields, operating in different legal and cultural contexts, speaking three different languages (at least), which touched on a variety of complex topics related to freedom of expression, the seminar at first seemed possibly too diffuse. But the more I reflect upon what I learned, the more I realize that perhaps the weaknesses of the seminar were also its strengths.

The knitting together of these disparate threads enabled us to see the broad tapestry of conditions, obstacles, and opportunities that exist in different societies, where the similarities lie and where there are vast differences. While I cannot say I left Buenos Aires with a deep understanding of any one topic, I do have a much better sense of the inter-relationship between the legal protections for copyright, concentration of ownership of media, access to technology and the general legal framework for freedom of expression. So on one level, I could suggest that the seminar should have been more narrowly focused, I think we – or at least I – would have lost that broader, if superficial, context.

In addition, the seminar brought home the critical importance of the international dimension, particularly with the advent of networked digital communications, international corporate ownership, and the influence of institutions such as the United Nations, ICANN, and others. Because of the interlocking nature of these relationships, all of our rights to free expression are to some extent dependent on the same forces and can be affected by choices made elsewhere in the world; and, thus, we cannot afford, even in countries where we pride ourselves on robust protections for expression, to forget that corporate or international decision-making can also harm our ability to speak out.

I also was struck by the fact that much progressive advocacy work even here in the United States, where the First Amendment is so well-known and revered, is on a separate track from the discussion of freedom of expression. That is, we often do our work focusing on the substance of women's rights or voting rights or the environment without considering whether our speech is actually being heard – even if we have the formal right to speak freely, is it overwhelmed by the louder voice of those with more political, financial or social power? As I listened to the speakers from Latin America and Africa, who necessarily focus so much attention on the practical exercise of free speech, I realized that in the United States we have not focused enough on this piece of the puzzle. I think it would help those who advocate on issues like media concentration, for example, to have progressive organizations better understand what is at stake for all of us, and join the fight. Perhaps it would be helpful to include more advocates who work on other

progressive causes to help strengthen these connections – but that might exacerbate the somewhat diffuse nature of the seminars.

I very much look forward to seeing the report from Global Partners once all of the seminars are completed. The Buenos Aires seminar was an extremely valuable experience for me and I look forward to reading Global Partners' conclusions about the implications of the development of digital networked communications for the human right to freedom of expression, in all its complexities and cultural specificities.

Lastly, I had a wonderful time, met many extraordinary people with diverse talents, and enjoyed myself extremely. Thank you.

**Robin Gross**  
**Executive Director**  
**IP Justice**

I am extremely grateful to the organizers and facilitators of the Buenos Aires Freedom Expression and ICT event for including me in the program and providing me with such an enriching experience.

My participation in the event has already led to key professional connections for IP Justice with people and organizations from new regions of the world but who hold a shared mission of promoting freedom of expression and other human rights in communications technologies.

Before it was held, I had only known 1 or 2 people related to the BA event. So the gather was a tremendous eye-opener for me on a number of important issues that I had not fully considered before. I found the struggles of local and alternative media providers from Latin America to be truly inspirational, and although we do not work directly on the same issues, it was clear that in our own unique way, we are all struggling for the same thing.

I was especially happy to connect with representatives from the American Civil Liberties Union and their various counterparts in Latin America such as Asociacion por los Derechos Civiles and FGV-CTS in Rio. Since returning to San Francisco, I am working to incorporate many of these groups into the debates at WIPO and ICANN since their perspective would be highly valued by Internet governance policymakers and intellectual property treaty negotiations. In particular, I am developing a new coalition, "Keep the Core Neutral" to promote free expression in ICANN domain name policy and I hope to engage many of my new allies from Argentina in this new campaign.

At the Buenos Aires workshop itself, I found the remarks from Andrew Puddephatt of Global Partners to be both engaging and instructional. As an international lawyer, I cling to international treaty texts and better understandings of their context to try to achieve consensus on an agenda that promotes human rights. Our one-on-one conversations were able to pick up on this thread and I felt that I greatly benefited from his sharing his knowledge and experience with me on strategies to promote human rights in ICT.

The graphical representations of world-wide publishing royalties which were included in our workshop booklet and the other reading materials were very informative and presented a unique and unfamiliar lens for viewing free expression and ICT policy issues. I have frequently gone back and reviewed some of the handouts from the workshop.

Jenny Toomey continues to inspire me as she boldly explores new opportunities (and old challenges) for digital artists with the Future of Music Coalition. And I was inspired to be newly introduced activists such as Roanne Robinson Shaddox and her work to promote media justice for Native Americans.

And I was particularly grateful for connection with African civil society working on ICT policies. Some could help to identify potential contributors to ICANN policymaking discussion and I look forward to continuing those discussions.

I was particularly impressed by the warm “family” atmosphere among many of the workshop participants who appeared to have worked together for several years and have built an impressive atmosphere of comradery and support. I hope to have more occasion to work with the activists I met during this conference in the future.

On the day I was to leave BA for the US, I found myself caught up in 3 different political marches and organized peaceful protests at the Argentine presidential palace. Then I walked along the pedestrian streets of BA and marveled at the enormous talent of the many street musicians and performance artists of BA. It was the perfect reminder about what this is about: developing policies to promote individual creativity and diverse expression in the Information Age.

**Hye-Jung Park**  
**Program Officer**  
**Media Justice Fund/Funding Exchange**

While I was affiliated with Downtown Community Television Center (DCTV) in New York in the 90s, I had a chance to be involved in Videazimut, an international coalition of community media. Through content exchanges, over 100 organizational members and individual members were connected to each other and were able to build international solidarity through media movements in the areas of labor organizing and of anti-racist, anti-war and democracy activities. Even though the coalition folded because of lack of financial resources, loose informal networking continued thanks to the Internet technology. However, after ten years, many groups closed down their collectives or centers and joined governments, universities, or media corporations. There was no system by which they could sustain themselves as progressive media creators or advocates.

However, in the seven years after DCTV, I created a network of youth media in New York City and among public access centers. In addition, I produced films to deal with the U.S. intervention in Korea, an issue that was not recognized by the general public. In spite of my burning desire to work as a media advocate and producer, I was frustrated by the production and distribution system. Finally, I joined the Media Justice Fund in April 2006 because I realized that people

needed to build a movement for media system changes that will ultimately help them have access to tools and information. Through my job, I have a better understanding of the way the U.S. media system works and what kind of challenges and opportunities are in the new media environment for traditionally marginalized communities.

It is always a humbling experience to learn about cultural resistance and media movements in other countries. The seminar in Buenos Aires enabled me to move outside the confines of the U.S. media world and to see the current communications environment beyond local and national boundaries. Diverted by mainstream media, a lot of people in the U.S. are self-centric and not aware of the many ways that the U.S. influences the world globally. On the other hand, Latin America is in a transitional period from state-controlled media to corporate-owned media. Therefore, while people north and south in the Western Hemisphere attempt to build new infrastructures for a true democratic communications space, they face many challenges by governments or by domestic and international corporate ownerships. The different development processes are uneven and exclude those who have been traditionally marginalized. This situation is not so clearly perceived from the point of view of people getting information through the mainstream U.S. media. Free-trade, deregulation and privatization driven by marketing ideology have caused enormous damage to people's rights to communicate, both in this country and abroad. The issues, therefore, are: access to information and the means of communication; intellectual property; the digital divide; and self-censorship. There are many other issues, as well. Listening to my fellow Latin American scholars and advocates, I had a snapshot of the media scenes in Latin American countries. Now my work will be informed by a deeper understanding of global media infrastructure, which will enable me to connect the Media Justice movement in the U.S. with our counterparts around the world to create a society free from poverty, violence and oppression worldwide.

My commitment to four fundamental beliefs has become deeper as a result of the forum:

- Freedom of Expression is a basic human right.
- The role of the state is critical to secure a public sphere of communication.
- There is a strong need to set up mechanisms of regulation at the global level.
- Civil society should be proactive to secure a public space of communication where there are open exchanges of ideas and opinions to benefit public welfare.

Here are some of my observations:

### **Networking**

Before the forum, there were names of people and organizations you heard for a few years without seeing them face-to-face. One of the most positive outcomes of the gathering is the linkage of like-minded individuals and organizations who fight for freedom of expression and the exploration of future collaborations with them. Among the things I found out from the U.S. participants were: Andrew from Global Partners and I have a mutual friend in London; Jake from PRX was in Korea as a rocker and plans to visit Korea to present at a digital media conference; Kevin from New America Media loves "Kimchi," a spicy Korean dish. The trip definitely provided an opportunity to have a closer relationship among participants. I have a lot of questions for participants from Latin America and would like to gather details and gain

clarification about their presentations. After collecting their contact information, I look forward to communicating and collaborating with them in the future. The unexpected participation of African colleagues was a wonderful asset to the forum. Dots are being connected!

## **Representation**

When we discuss international media and globalization, we cannot ignore the aspect of global migration in this era. As capital moves around, workers also move from one country to the other. There is a huge population of immigrants in the U.S. who have moved from Latin America. They are struggling for their representation and cultural identity and for access to communication. At some point, I realized that we didn't have a single Latino/Latina representative among the U.S. delegation. It might have been very helpful to have a representative who could speak about Latino/Latina communities in the U.S. and make a link between North and South America.

## **Focus**

Andrew and Global Partner provided a great framework for Freedom of Expression. At the forum, I learned various approaches of explaining or implementing Freedom of Expression, which is quite a broad concept to cover. We could have discussed one approach or one layer of Freedom of Expression over two days. Each presenter's point of view was unique, based on the history of his or her country's political economy. There were many similarities, although there were also many differences. I was exposed to an immense amount of information and as an experience it was overwhelming. As a personal preference, however, I wish the focus could have been narrowed down so that we could have had depth rather than breadth.

## **Materials**

Preparing a presentation for an international forum is an exciting but daunting task. You don't want to appear uninformed before your international colleagues, exposing a lack of understanding of their situation or deficient knowledge of your own area. You also don't want to talk about your work in isolation, but rather, to present it in the context of other people's work in the field. There was so much new information that one couldn't digest it all at once. In spite of the amazing translation work in the simulcasts during the speeches, I found myself missing parts of many presentations. In the future, it would be helpful to have the presentations in Spanish translated into printed English translations and to have the presentations in English translated into printed Spanish translations in advance of the forum or available at the forum. Such an arrangement would greatly enhance mutual understanding among participants.

*Finally, I would like to thank Ford, Global Partners, and Consumers Union for providing me with this great learning opportunity.*

**Jacquie Jones**  
**Executive Director**  
**National Black Programming Consortium**

It was particularly poignant for me to attend this meeting – Challenges and Opportunities for Freedom of Expression: How Communication Changes are Affecting Us All – at a time when I had just experienced for the first time in my career in public media a direct attempt by the United States government to exert editorial pressure on US public television. This attempt – specifically by the chair of the Congressional Hispanic Caucus – sought to right a perceived wrong, the exclusion of the stories of Latino soldiers from a multi-part historical documentary chronicling the impact of World War II on four American towns. While many people, myself included, sympathized completely with the position of those advocates who brought the matter before members of Congress, when Rep. Joe Baca threatened to compel PBS to “force” the producer to re-edit his film, things got very confusing, especially when this pressure was put in the context of approaching corporate sponsors of public television.

So, it was with this recent experience in mind that I arrived in Buenos Aires, making the discussion of what is the appropriate role for government in regulating access or diversity in public media that much more significant for me. Given all of the historical and contemporary examples of censorship and attempts at essentially bottle-necking information in Latin America and new challenges arising from the *perceived* democratization of media made possible by the internet – as well as the shared ownership that democracy implies – it is not hard to see how complicated this mission of arriving at shared language and shared ethics around Freedom of Expression in all media, including new delivery systems is going to be but also how necessary.

I was especially struck by the presentation on the first day by Eduardo Bertoni and the ways in which he delineated the psychological threats to free expression that compliment, in a sense, the constricting spaces available for it due to concentration and the real-time limitations of broadcast, which has shaped the consciousness of many generations. This was important for me because it really exposed a need for development among content creators that is not being adequately addressed in any way, I feel. That is, that the media landscape has been such that people, hungry to express and present themselves as full human beings, have been forced to tailor their content to the vehicles available for distribution. (Whether that availability is real or imagined is another story entirely.) And this has really collapsed the kinds of expression into largely predictable subject matter, largely predictable genres and largely predictable perspectives as content producers have learned that they must tread truly narrow roads if they hope to get produced, get aired, be seen and heard.

Fortunately, it seems that some of the experiments around new media can help to encourage and refresh the field.

In general, I really was inspired by the constant theme of how do we encourage free expression in the face of all of these factors – monopolization, self-censorship, lack of access – and what appears such a sincere effort by so many around the world to create alternative networks that create community around progressive media and empower people.

One thing I would have liked to see more of, actually, are examples of the dynamic media that is having real impact in different parts of the world, regardless of the delivery systems. There was certainly an engaging discussion of community radio in Brazil but we didn’t really get a sense of the flavor or power of it. I think connecting the “content” people from the different partners from

Latin America, Africa, Europe, Eastern Europe, Asia and the US would expand this discussion and ground it in the realities of trying to produce disruptive media and alternative delivery systems.

I think it was clear from the presentations how connected many of the issues are, especially for those of us from vulnerable communities, I think more so than any of us could have imagined. I'm thinking of Graciela Selaimen's presentation and how strikingly similar the statistics for internet use and content creation by and for the web in Brazil are to those from black communities in the US. I think the media might make these connections even more convincingly.

I would have also liked to see more "diversity" from around the world. I guess I especially missed an Afro-Brazilian perspective on the discussion about community radio and a black British perspective on concentration, among others.

And, finally, my biggest take-away: "You cannot regulate global practice with national laws."

**Joe Karaganis**  
**Program Director**  
**Social Science Research Council**

I was very pleased to be a part of the delegation and very much enjoyed the workshop. Among other things, it was opportunity for me to reconnect to a Latin American conversation about information and communication technologies and policy that had been important to my work several years ago, but which I have not had many opportunities to maintain.

I think I've shared most of my observations already in conversation but I'll repeat them and try to elaborate. Some of this reflects my effort to map the event onto what I know about the larger project. The meeting left me a little confused on this point, which made it hard for me to evaluate how well the meeting met its goals. If I'm misrepresenting those goals, then I trust you'll discount the rest of this memo accordingly.

To begin with the obvious: this a very diverse set of issues and audiences to bring into dialogue around FOE. Just to try to identify some of the main lines and issues:

- Older freedom of the press FOE vs. newer ICT issues, and the usually very different groups that work on them.
- Educating internal Ford audiences about this relationship vs. the goal of getting the participants to meaningfully connect.
- Latin American vs. US groups, and whether there are meaningful bases for collaboration and/or comparison.
- Relationship between national/regional frameworks and international ICT governance.

My sense is that FOE provides a serviceable but thin conceptual umbrella for talking about these issues. For me, this thinness was reflected in the meeting, where—despite a couple of heroic efforts at synthesis—the presentations didn't connect much across or within the different panels. My impression was more of a series of snapshots of ICT issues and—occasionally—more

traditional FOE concerns. This fragmentation is always a risk in a diverse presentation-driven workshop format. And I know the size and translation requirements of the event dictated this to some extent, and that you didn't have much control over the former. But it did mean that the substantive conversation about connections between people's work happened (for me at least) mostly outside the workshop in breaks, meals, and in the post-workshop 'focus group' session (which was interesting enough to make me wish for breakout groups).

Whether this is a problem or not has to do with the project goals—and here I confess some confusion. If this is primarily an exploratory project designed to survey the (complex) field, draw some conclusions, and report back to Ford, then the structure is fine. You'll have learned a lot; the participants will have made some interesting connections and been given some food for thought. Different threads of conversation will reach their different audiences. I assume that the grant/institutional politics prioritizes the Ford audience, and that Andrew and Becky are working through this complicated terrain as best they can. It did strike me that, although the reason for Kathryn and Orlando's presence was clear enough, core Ford human rights staff was not represented.

If, on the other hand, the goal is to mobilize a certain account of FOE as a framework for linking old and new, north and south, then I think the meeting was just too broad. There wasn't enough structure or time to think through FOE as a strategic concept with specific instruments and uses. The occasional specific examples really stuck out in this context: the use of the Inter-American FOE rules and remedies to push on spectrum allocation for community radio made a lot of sense. Even the clear negative arguments—like the proposition that media ownership regulation is a non-starter in Latin America—seemed useful to me in clarifying what a strategic approach to FOE in this area might look like. In my opinion, some of the more general presentations of issues (mine, for instance, or Robin's IGF work) and some of the narrower presentation of projects were not as successful in this regard.

More account of the relationship to other conceptual frameworks in this area might also have been an interesting way to push this conversation forward. As I tried to ask on the first day: what's the 'cash value' of talking about IP or Creative Commons models or Internet governance as an FOE issue—as distinct from a democratization issue, a development issue, in terms of 'access to knowledge,' or as 'communication rights,' which obviously has unique resonance in Latin America. Is part of the goal of the work to proselytize a certain way of thinking about ICT issues as freedom of expression issues? I'm certainly open to this, and think it's an interesting question. It did make me want to hear more about other instances in which FOE is a strong rhetorical and legal tool, not just a (relatively weak) umbrella concept.

I was also hoping to learn more about the institutional history and, potentially, the resources of the more traditional FOE and human rights sector, and what they might bring to the ICT picture via a reframed account of FOE. It seems to me that the other side of an effective FOE agenda in this area would be to get these groups—and not just Ford staff—to pay more attention to second generation FOE concerns. My assumption is that this is a part of Andrew/Global Partner's comparative advantage in this area. I.e. move the grantees and the funders will follow.

In any event, I did thoroughly enjoy the meeting and want to thank you again for the opportunity to participate.

**Jake Shapiro**  
**Executive Director**  
**Public Radio Exchange**

The visit to Buenos Aires for the workshop opened a window into new concepts and perspectives on freedom of expression and media policy. It was also wonderful to meet new colleagues, reconnect with people from the US contingent, and get to spend time in the amazing city of Buenos Aires.

I am largely unfamiliar with the Latin American media landscape and international policy regarding freedom of expression, and it was enlightening to read the background papers and get an overview of the region's concerns during the workshop.

As an active participant in the evolving "public media" field in the U.S., I initially struggled to understand that there is no direct comparable sector in Argentina and most Latin American countries. The tightly limited spaces between government-controlled media and monopolistic commercial media do not yet add up to a robust independent civic media culture. As a result many of the analyses of media policy and the realities of journalistic efforts focused on an extensive list of grievances about the flaws and failures of the existing architecture across broadcast, print, and digital platforms.

By comparison the US public media sector has a strong identity and despite many difficult pressures seems to have carved out an important and recognized role for a large part of society. I'm also an optimist about the potential for public media to leverage technology and the new social capacity of the Internet to increase its reach and relevance.

So I found it helpful if discouraging to listen to the stories of intimidation, corruption, political and legal threats, bureaucratic barriers, commercial "extremism" and self-censorship in Latin American media. The cumulative impression was of a beleaguered sector that struggles even to identify the means of advancement. In general it was best when speakers tied their policy analysis to specific stories, incorporating anecdotes about real people, real content, and real situations. This didn't happen frequently enough and with the additional layer of simultaneous translation it was easy to get lost in the more abstract points being made.

I was also struck that discussion of the potential for the Internet to become a powerful tool and place for leveraging independent voices and freedom of expression was largely absent from the presentations of the Latin American participants. Partly this seemed to be due to the significant "digital divide" that is more severe in these countries than in the US and elsewhere, but even so there was little sense of the promise and potential for this dynamic medium to play a positive role.

The broader Internet-driven "networked communications environment" was much more clearly explored in several of the presentations and discussions of the US/UK participants, and I found

these inquiries more engaging and hopeful, partly I'm sure due to the shared language and context. The layer model for the networked communications environment is an excellent tool for considering and analyzing the complex interactions between the tech, policy and business modes in media today. I agree with observations made at the time that it would be helpful to use this matrix with some specific case studies and current issues, and begin to annotate the layers with more real-world examples as a way to engage more strategically in creating positive change. It also clear to me that in my own work I'm deeply engaged in the Technology and Economics and Markets spheres and much less active and aware of the Politics, Regulation and Governance area, which ended up being a focus of the meeting.

Some of the regional policy discussions were hard to follow and the international regulatory and policy frameworks are new to me. But the consistent theme of enforcing broad internationally-supported definitions of freedom of expression in a human rights context rang through, and has added an important dimension for me to put my work in public media in the US in a larger context.

Ultimately this was a positive and productive experience that nonetheless felt like we were just scratching the surface for what promises to be a greater cross-pollination of domains and geography. Having participated mostly in an observer role I now feel I could contribute more directly in subsequent workshops, illustrating aspects of the hands-on efforts of PRX that could be relevant and helpful to others trying to build new intermediaries for independent media.

Thank you again for inviting me to participate.

**Jenny Toomey**  
**Executive Director**  
**Future of Music Coalition**

To begin I want to thank Roanne Robinson and everyone at the Ford Foundation and Consumer Union who made it possible for me to participate in the meeting. Over the past five years I have traveled to other countries only a handful of times and each trip has far exceeded my expectations as a knowledge source but also as a kick-start to the imagination, (an activist's greatest tool next to tenacity).

On a practical level it is always beneficial to spend time with brilliant peers in the media justice movement. This is particularly true of those leaders like Jake and Jackie who live in other cities and whose work, abuts the work of FMC but doesn't always overlap. These are people whose strategies and experience most invite me to expand mine. It is also tremendously important to have down time with local peers like Gene and Chris and Joe whose work ensures I will see them regularly, but often in short bursts of dedicated or immediate strategizing and not conversations that allow us to imagine the future of the movement.

It is also tremendously important for me to meet colleagues who are doing valuable work on media creation and media reform in other parts of the world.

The geographical barriers that have separated countries and culture are being transformed and blurred more and more by emerging technology. There are few areas where this transformation is clearer than the field of music. Music has been a tremendous metaphor or petri-dish example of the porous and contagious qualities in culture. Influence from Tango, Rock and Roll, Poetry, Jazz, and all genres of music fire the imagination of those that hear them. These experiences are the seeds that when planted in fertile foreign soil grows into beautiful new hybrid forms. Psychedelic Rock viewed through a political and samba lens becomes Tropicallia, Triple A mixes with Carnival and electro music to become Techno Braga. Hip Hop and Jazz mix with traditional music to form Afro Pop.

What begins in shifting influence or shifting inspiration becomes shifting commerce, shifting law, and shifting debt, shifting influence, shifting power. More and more of the work that Future of Music does cannot be seen as isolated to the needs of American musicians. For this reason I cannot underestimate the value that leaving the country has for our capacity to build strategy.

I've been looking for a Kate Boo quote I wanted to cite. Kate, as you know is a journalist for the New Yorker. Previous to her work there she wrote for The Post while I was also employed there. Journalists have the power make us see our world, even parts we might prefer not to see. Kate was tremendously skilled at this. In 1999, Boo wrote a series called "Invisible Lives: Invisible Deaths" that brought to light the shameful failures of the District of Columbia's taxpayer-funded network for the mentally retarded. The stories earned her a Pulitzer and a Genius Grant. More importantly, after her series was published, major systematic reforms were made and the U.S. Justice Department conducted a special probe into the quality of care provided by government-funded District facilities.

In a post-Pulitzer interview she was asked how she was able to create such compelling portraits of the subjects of her articles. What she said there has really stuck with me. When she walked into the room of the person she was interviewing in a state sponsored home, in a Katrina trailer, in a housing project in Okalahoma City housing project, she begins with what is the same whereas many of us begin with what is different.

This is a long way of saying that the most important aspect of these meetings from colleagues around the world may be fixing the things that are different but this work can only begin when grounded in elements that are the same. Sameness in cause, in ideals, in necessities, in pleasure in hope.

On a basic level, the sameness of the questions and the sameness of some of the struggles made me feel good about the work we are doing. Viewed outside a moral lens and looking at basic structural media critique I see citizens with different experiences and different recourses fighting very similar fights. This makes me optimistic about our strategic choices (more media, local media, media free from influence, competition in the market place, strategic regulation).

It also made me pessimistic to see what American citizens are accepting in their media structures. You could have knocked me to the floor when Graca brought forward statistics about radio consolidation that paralleled the ones that Future of Music has documented in the United

States. The political power of media was not lost on our Latin American colleagues the way it is so often for North American citizens.

The human rights lens or frame is one that we often understand when applied to countries and cultures other than our own. I'm not sure how powerful it will be in the circles where I travel. But I see how that blindness will likely lead to a rude awakening.

I watched the conversations about intellectual property with intense curiosity and I found the representational maps very helpful and compelling. There is such a striking contrast between the way my colleagues and the music community articulate these issues and the way the developing world does. There is a strong confusion that is more than a little bit similar to the confusions Americans now feel traveling abroad post Iraq. Musicians, who for so long have been our best cultural ambassadors, cannot understand why they have become enemies to the world in their relationship to IP law. They have spent years believing in the power of DRM, legislation and law suits to solve these problems and are only now waking up to the cost of these industry led strategies. I find there is little sympathy from either maximalists or minimalists towards middle ground positions and this concerns me greatly. I hope the FMC presentation was able to contribute a little more to that grey area.

I am sincerely grateful that FMC was chosen to participate in this conversations and I hope our contribution to the convening was equal to the benefits we sustained by participating.

**Gene Kimmelman**  
**Vice President, Federal and International Affairs**  
**Consumers Union**

At a time when US media reform activists are pondering the implications of Rupert Murdoch's efforts to purchase Dow Jones/The Wall Street Journal, it was horrifying to hear detailed descriptions of public and private coercion designed to suppress freedom of expression in Latin America. The Workshop provided enormously valuable country-by-country examples of how political power in all cultural contexts is being used to manipulate media ownership, deny public access to important communications technology and weaken opportunities for democratic discourse. Three days of thorough briefings and discussions left me feeling that the Rupert Murdoch transaction is one simple piece in a global puzzle that I need to figure out. And that I need help from the many impressive people I met at this workshop to develop strategies that address unfair private and public domination of media and communications systems.

An important element of this eye-opening experience was having separate time to sit down with an impressive array of US leaders from the worlds of public media, grassroots advocacy, civil rights, academia and philanthropy. By learning more about each other personally and professionally I realized how the struggles of those developing quality media products and those fighting for social/economic equality in their communities are all dependent upon changing the U.S. media and communications culture to welcome greater diversity. We began an important conversation across communities that I hope will continue, which could bring together a much broader base of communities to fight for justice and reform from the U.S. telecommunications and media marketplace.

Having been fortunate to participate in a previous freedom of expression workshop with numerous participants from Eastern Europe and the Middle East, the Buenos Aires Workshop helped me see common themes repeated across cultures, national political environments and levels of economic development. Despite the enormously complex differences described for key freedom of expression struggles by each presenter, I felt that Gustavo Gindres (Indecs) presentation of how each layer of the networked world can be effectively approached with a set of commonly agreed upon goals and principles illustrates how communities around the world could galvanize behind broad civic campaigns. Each of these goals and principles may be supported by key regional or global charters, either taken from or derived from the Universal Declaration of Human Rights or the International Covenant on Civil and Political Rights (including the InterAmerican Treaty and African Charter). I hope that future convenings will consider whether inviting groups around the world to coalesce around such an international charter would yield fruitful global collaboration to support local fights related to free expression and democratic discourse.

I left the workshop full of hope and ideas about how global collaboration could grow. Why not engage the more than 100 national consumer organizations organized in Consumers International's global freedom to support freedom of expression campaigns around the world? I thank all the participants in the Workshop for helping me learn more about their worlds and see connections in political struggles that I wasn't previously aware of. And I particularly want to thank Global Partners for organizing and leading a fabulous workshop, and the Ford Foundation and the Institute of International Education for providing the financial and intellectual support to make this possible.

**Roanne Robinson Shaddox**  
**Principal**  
**RRStrategies**

It truly was an honor to be a member of the US delegation to the Latin America Freedom of Expression Project Workshop. I would like to thank the Ford Foundation, Consumers Union and Global Partners for the opportunity to participate in this important event. I also want to thank the local host organizer, the Association for Civil Rights, whose staff worked tirelessly to ensure that our experience was a success.

I found the entire experience both highly intense and enlightening, due to the sheer volume and complexity of information covered during the three-days of meetings, as well as the wonderfully diverse perspectives and backgrounds of the US and Latin American delegates. Having worked on Native American telecom and media policy issues for over a decade, I went into the experience eager to learn new perspectives on how others are grappling with freedom of expression issues here and abroad, i.e., what does it mean for them and what are they doing from a legal, policy, content, technical and grassroots organizing perspective to advance FOE opportunities in their respective communities? I was not disappointed! Both the Orientation Session and Workshop provided new insights and discussion threads, that time and time again, forced me to think outside the box and introduced me to new policy and content issues and

concepts, such as the range of intellectual property issues, not often discussed in the Native media policy circle.

Of course, it is always an amazing thing to be surrounded by people who are so knowledgeable and passionate about their work. And I was particularly moved by the stories of several Latin American speakers, who shared their struggles to advance the basic human right of FOE against considerable odds and in the face of intense political and corporate domination and corruption of their media environments. I found myself comparing their issues with those faced in the Native American community, where from time to time, we have had unfortunate situations of tribal government interference in the operations and content of tribal newspapers and public radio stations. While our issues may pale in comparison to the censorship issues faced by journalists in Latin America, it is nonetheless disconcerting. I also found fascinating the use of international bodies and courts by Latin American advocates to advance FOE, given the lack of protections in their country on par with the First Amendment. It was impossible not to come away with a renewed sense of appreciation for the US commercial and public media landscape as well as a renewed sense of urgency about the need to protect our own system.

I also was pleased to learn of several new collaborative possibilities that could support efforts to give “voice” to Native peoples through existing and new technologies. For example, the work being done by Jake Shapiro could serve as an important solution for the thirty three (33) Native public radio stations serving Indian Country today that are constantly searching for opportunities to extend their reach and distribute their original programming, making it possible to find new audiences. I also was pleased to learn about the work being done by Jacquie Jones, who already is collaborating with the Native community on innovative new television and web programming. Again, the opportunity to learn the range of intellectual property issues from experts such as Jenny Toomey, Joe Karaganis and Robin Gross was invaluable and opened my eyes to the next wave of issues the Native American community will have to grapple with along with basic media and telecom infrastructure issues. It also was alarming to learn, for example, how on any given day, major corporations are using trademark law and international dispute resolution processes to limit freedom of expression of citizens and critics, but encouraged by all the opportunities for concerned individuals to engage in the debate in order to limit such abuse of the laws.

I was surprised to find missing from the discussion more focus and insights on the state of indigenous peoples in terms of access to media and telecom opportunities, although the topic did arise one or twice during the Workshop. I have been inspired to learn more about this area, given the great potential to share information and lessons learned about how to bring more connectivity to Native peoples, thus advancing their human right to FOE. I also left the Workshop unsure about whether or not it will be possible to incorporate the FOE framework into the current Native media policy debate, but it’s an area worth exploring.

Finally, I thought Global Partners did an exceptional job of identifying all the facets of the FOE issue and particularly found fascinating the overview of the four layers model. I was able to leave Buenos Aires with a solid understanding of the core freedom of expression issues that are impacted by the digital environment and the intense and complex struggles of our friends in Latin America on this front. Perhaps most important, I left Buenos Aires with many new friends,

who offered important information and insights on how to advance FOE opportunities for Native peoples here at home.

**Christopher Murray**  
**Consumers Union**

“Can I really tango?” I thought to myself, unsure of whether to accept an invitation to Buenos Aires. “Will Becky pressure me to dance? Will I look like a total gringo? Will my hosts berate me for lack of rhythm and coordination?”

I no longer fear the tango, as a trip to Esquina Carlos Gardel made me realize that it is a dance sufficiently complicated as to be out of reach of most mortals, certainly mortals of an Anglo persuasion.

Yet I did leave Argentina with a strong sense of “ok, what next?” We had gathered an excellent group of activists and academics, but I wanted to capture the energy in the room and turn it into some sort of transnational campaign—that’s clearly the advocate in me talking. However, I think it important for the July meeting in Kenya to move past framing rhetoric and see if there indeed are any campaigns that we could work on together. This is not to say that we should spend undue time building a “consensus” agenda (as such things require near unanimity), but rather see if there are some advocacy “baskets” that folks might find themselves gravitating towards.

The unique power of this group is its transnational nature—it would be a shame if folks came together, informed each other of their domestic agendas, had a few drinks and laughs together, and then went home to keep doing the same work. Instead, I would be excited to see greater time spent finding commonalities between the groups’ respective work, and some time spent brainstorming on potential transnational campaigns and connections.

While there is danger in forcing this, in that groups may feel compelled to do whatever work Ford suggests, the potential upside is immense. Further, if it is of sufficient value for Ford to fund the convening of all these advocates and content producers, ostensibly to find the connections and commonalities between them, surely it would be palatable for us to push just a bit harder towards creating common work.

For instance, is there a common campaign around intellectual property that could be had? Around threats to journalism? Is there a way that I could support those interested in international trade with the U.S. Trade Representative here in Washington DC? I don’t know how fruitful these things might be, but I am keen to explore them. I hope we’ll find the space to do so in Kenya.

Above all else, I’d like to offer thanks to Ford for expanding our cultural horizons and advocacy work to include our Latin American colleagues.

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