

17 August 2009

STATEMENT

Central America: Platform of Action for Strengthening Freedom of Expression

Human Rights Defenders and media professionals from El Salvador, Guatemala, Honduras, Mexico, and Nicaragua, meeting in Guatemala City on July 23 and 24, 2009 for the Regional Conference “*Towards a Joint Action Platform to Strengthen Freedom of Expression*” agree to the following Platform of Action for strengthening freedom of expression of all people in Central America:

Preamble

Highlighting that freedom of expression is a right that paves the way for the exercise of other fundamental rights, and that the full enjoyment of this right is instrumental for fighting injustice and social exclusion, as well as all forms of discrimination

Recognizing that freedom of expression is vital for the very existence of a democratic society, that it is essential for public opinion-forming and is also a crucial requirement for the full development of individuals and the community in a plural and diverse environment

Recalling international and regional human rights law, especially Article 19 of the International Covenant on Civil and Political Rights, which states: “*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media, and regardless of frontiers*”; and Article 13 of the Inter-American Human Rights Convention which states: “*Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice*”

Recognizing the jurisprudential developments of the right to freedom of expression, including those by the Inter-American Court of Human Rights

Emphasising the continuing adverse environment for the exercise of freedom of expression in Central America, in particular: media concentration; criminal defamation, slander, and libel; violence against human rights advocates and journalists; a prevailing impunity with respect to most of these cases; discretionary and lack of regulation in official advertising; weakness in access to information policy frameworks, and the inhibiting effect on the exercise of this right; threats of non-state actors against human rights defenders and journalists further facilitated by the weakness of the institutions responsible for enforcing compliance with human rights.

Recalling the existing regional work to protect and promote freedom of expression undertaken by various civil society organizations, human rights groups, and journalists associations,

Recognising the various perspectives and mandates of civil society organisations, human rights groups and journalist associations in the region,

Adopt the following Platform of Action to participate in or support other initiatives directed at:

Take collective and coordinated measures to support local initiatives in the region

1. Promote the development or reform of legal and policy frameworks in each country; these frameworks will protect and defend the exercise of the right to freedom of expression for all people, whatever their social status, ethnical origin, sexual preference, gender identity, political opinion and/or religious belief;
2. Undertake activities such as alerts, diagnostics, and reports to promote, disseminate, and condemn violations of the right of freedom of expression;

Attacks against Freedom of Expression

3. Promote empathy and public expressions of solidarity with the victims and their relatives;
4. Undertake investigations into violations, and follow-up on these investigations to publicly condemn all actions or omissions that lead to impunity;
5. Condemn before local authorities, as well as before international human right protection agencies, all attacks on journalists and media workers, and work towards the development of a comprehensive approach to, and definition of, crimes against press freedom which include bloggers, journalists, citizens, public relations specialists, commentators, and temporary journalist;
6. Share knowledge and methods for registering, documenting, and monitoring violations of freedom of expression, and defending victims, according to the best international practices and standards, promote institutional and technical strengthening of the actions adopted in each country;

Crimes of defamation, slander, and libel

7. Actively campaign for the decriminalisation of defamation, slander and libel;
8. Disseminate information on such criminal cases, denouncing these cases publicly as a practice that is harmful to the exercise of the right to freedom of expression;

Information Access

9. Adopt and support actions geared towards fighting the culture of secrecy and opacity amongst the governments of the region;
10. Promote structural changes through the inclusion of international standards in national legislations on transparency and information access, as well as in legislative discussions in countries where no such laws have been adopted;
11. Monitor the implementation of access to information laws, and, when relevant, condemn actions and omissions that affect the exercise of this right;
12. Promote inquiries and transparency practices as a tool for the exercise of freedom of press and political debate;

Broadcasting, the Internet, and information technology

13. Condemn harmful practices in the allocation and use of the radio frequencies that could inhibit pluralism and diversity;
14. Demand transparency in the review and allocation of radio frequencies, as well as a fair distribution among commercial, community, and public media;
15. Promote a human rights perspective on the digitalization and convergence processes, and campaign against media concentration as a result of these technological transformations;
16. Publicly condemn practices and regulatory frameworks that inhibit freedom of expression through the internet, including freedom of expression by vulnerable groups.

The organisations signatories to this Platform of Action include:

From El Salvador: Human Rights Institute at the José Simeón Cañas Central American University (IDHUCA), the National Journalists Association of El Salvador (APES), and the Association of Radio Stations and Participatory Radio Programmes (ARPAS)

From Guatemala: Centre for Informative Reports on Guatemala (CERIGUA), Civitas Centre (Centro Civitas), Newsroom (Sala de Redacción)

From Honduras: Democracy without Frontiers Foundation, Committee for Freedom of Expression

From Mexico: National Centre of Social Communication (CENCOS);

From Nicaragua: Nicaraguan Centre for Human Rights, (CENIDH), Violeta Barrios de Chamorro Foundation and The Centre for Communication Investigation (CINCO)

And ARTICLE 19

FURTHER INFORMATION:

- For more information please contact: Omar Rábago, ARTICLE 19: Mexico and Central America, at omar@article19.org or + 55 52 10 54 92 93 ext. 102
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.