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Mr. Joel Hernández
President,

Mr. Paulo Abrao,
Executive secretary
Inter-American Commission on Human Rights

Honorable President and Executive Secretary,

On behalf of the Inter American Press Association (IAPA), I wish to applaud the openness, transparency and innovation imposed on the process of choosing the next candidate for the office of the Special Rapporteur on Freedom of Expression (RFOE).

I wish to further congratulate the organization for being able to field ten candidates who, with a diversity of experience, gender equality, and a plurality of perspectives, show great potential for solidifying the great work that the Rapporteurship has been carrying out since its inception 22 years ago.

We trust that you and the other honorable commissioners will know how to strengthen and defend the RFOE's independence and autonomy from political actions of the past and we are convinced that the RFOE operational protocol established in 2019 is a very valuable and appropriate instrument.

After conversations at the highest level of our organization, we would like to share with the commissioners certain aspects, which our institution considers relevant for the defense and promotion of freedom of the press and conscience, in the framework of freedom of expression.

These considerations are based on more than 75 years of work, dedication and experience, inspired by our Declaration of Chapultepec and the Declaration of Salta, which seek to guarantee freedom of the press and expression in favor of journalism, the media and citizens in general, as prominent actors in the construction of democracy.

We are aware that the IACHR, with the support of RFOE in recent decades, and with the guidance of the Declaration of Principles on Freedom of Expression, has established and deepened some standards on freedom of the press and expression. However, we wish to highlight some aspects that will require urgent continued work on the part of the next rapporteur:

- The murder and violence against journalists, as well as the impunity for these crimes, are of priority attention. Also, the strengthening and scope of the mechanisms for security and protection of journalists, which have been implemented in some countries. The standards need to be broadened and deepened, as shown by the path outlined by the Inter-American Court after the Nelson Carvajal judgment and the Commission's in-depth reports on the cases of Guillermo Cano, Carlos Lajud and Alfredo Jiménez Mota, among others.
- The present COVID-19 pandemic and the phenomenon of “fake news”, and the response of media with fact-checking and the search for the truth, have demonstrated the relevance of the mainstream media and its unalterable mission to scrutinize public and private powers.
- It is also necessary to facilitate, promote and explore new ways that would help the financial health and sustainability of the media, so that journalism can continue to carry out their work independent of external interference and influences.
- It is necessary to neutralize old practices of direct censorship including attacks and aggressions against journalists and the media, stigmatization, espionage, arbitrary imprisonment, compromising of journalism sources, and mandatory licensing. It is also necessary to deactivate indirect censorship through discriminatory use of operating licenses and official advertising, restrictions on the free movement of the media and other forms of financial suffocation, all of which need imminent legal remedies.
- Despite efforts in many countries, it is still necessary to ban criminalization in the area of defamation crimes, and some precepts about contempt

embedded in criminal codes, to reinforce the standards and principles established in articles 10 and 11 of the Declaration of Principles on Freedom of Expression.

- It is necessary to deepen the standards of access to public information and transparency, including processes during electoral periods. Laws enacted in many countries are still inefficient or in some cases they are in regression, and citizens and civil society organizations have not yet been educated on the use of tools to access relevant public information.
- The defense and promotion of the guarantees of freedom of expression in the digital sphere are unavoidable priorities in this new era of the internet. It will be important to work for the protection of the open and free nature of the internet, the promotion of accessibility policies without exclusion for any citizen, the right to privacy and privacy of users, and to be vigilant regarding excessive regulations that inhibit public discourse, and access to the internet and social networks.
- There are basic concepts on digital rights and duties that the current rapporteur has worked on and which need to be studied under firm standards of the Inter-American System on Human Rights. Among these, those that close the digital divide in the countries, eliminating government censorship and inappropriate use of tools to block, misinform, monitor, or disrupt open conversation on social media and internet platforms.
- Digital literacy policies should be promoted in all countries and within the Inter-American framework, generate dialogue on good practices in media and by technological intermediaries, in addition to seeking guarantees for the intellectual property rights of the news content in the ecosystem digital.

Honorable President and Executive Secretary. The IAPA has always supported and will continue to support the good work of the RFOE and its rapporteurs. The IAPA has promoted the creation of the RFOE, has worked and presented more than 30 cases of murdered journalists before the Inter-American System, forwarded numerous amici curiae to the Inter-American Court to counter the criminalization of opinion and expression, promoted the adoption of the Declaration of Principles, and promoted the process that led to the first masterpiece of the Inter-American Court on press freedom, the Advisory Opinion 85.

We are confident that the IACHR and the RFOE will continue to promote cases and create standards through final case reports, annual reports on freedom of expression and other thematic reports. Moreover, IAPA is hopeful that both offices will start the process of updating the Declaration of Principles with the aim of adapting it to this new digital age; an exercise that the IAPA was able successfully to resolve through the Declaration of Salta as a complement to the Declaration of Chapultepec.

We trust that you, along with the other commissioners, under the principles that we underline in this letter, will be able to narrow down the choices to the most suitable candidate in charge of the RFOE's functions.

Respectfully,

A handwritten signature in black ink, appearing to be 'CB', with a long horizontal flourish extending to the right.

Christopher Barnes
President
IAPA