

**16th Model of the Permanent Council
for OAS Interns – 16th MOAS/PC
August 8-9, 2013**

FINAL RESOLUTIONS



**MOAS PROGRAM COORDINATION
OFFICE OF THE ASSISTANT SECRETARY GENERAL**

**“DEMOCRACY AND FREEDOM OF INFORMATION ON
THE MEDIA AND INTERNET¹”**

THE MOAS/PC GENERAL ASSEMBLY,

GUIDED by the Inter-American Democratic Charter and the American Convention on Human Rights;

TAKING INTO ACCOUNT Article 13 of the American Convention on Human Rights, as well as resolutions AG/RES. 1932 (XXXIII-O/03) and AG/RES. 2514 (XXXIX-O/09), which reaffirm that everyone has the freedom to seek, receive, access, and impart information and that access to public information is a requisite for the very exercise of democracy;

RECOGNIZING the work of the Inter-American Telecommunication Commission (CITEL) in promoting universal access to, investment in, and regulation of information and communication technology in the Americas.

RECALLING the Joint Declaration on Freedom of Expression and the Internet adopted by: the United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression; the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media; the Organization of American States (OAS) Special Rapporteur on Freedom of Expression; and the African Commission on Human and Peoples’ Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, approved on June 1st 2011, by which the states are under a positive obligation to facilitate universal access to the Internet, and should put in place regulatory mechanisms and provide their support to facilitate access;

EMPHASIZING the transformative nature of the Internet in terms of giving a voice to millions of people in the Americas, of significantly enhancing their ability to access information and of enhancing pluralism and reporting;

STRESSING the fundamental importance of diversity in the media to the free flow of information and ideas in society, in terms of both giving voice to and satisfying the information needs and other interests of all protected by international guarantees of the right to freedom of expression;

RECOGNIZING the potential for democracy and consequent regulatory challenges related to the use of the Internet; and

¹ The delegation of Guatemala wishes to express that its Government is not completely satisfied with this text's lack of propositions which directly address the protection of the freedom of expression of the press and other means of communication, given the importance of this right for our country. The Government of Guatemala would also like to reaffirm its commitment to applying policies in accordance with this resolution in order to guarantee the access to internet to its citizens.

TAKING INTO ACCOUNT the need for a dialogue within the hemisphere regarding the assurance of freedom of expression on the Internet,

RESOLVES:

1. To urge Member States to invest in the necessary infrastructure to guarantee universal access to the Internet, such as:
 - a. Establishing community based Information Communication Technology (ICT) centers,
 - b. Providing necessary equipment to access the Internet in public spaces such as public libraries and public schools, and
 - c. Any other measures to ensure equitable Internet access within the region.
2. To encourage Member States to provide inputs on their existing practices and programs on technology investment and to request the Secretariat for Political Affairs to expand the efforts in the compilation of information and make it available to all Member States so that they can use it as guideline.
3. To instruct the General Secretariat of the OAS, in cooperation with CITELE, to institute a regular forum among Member States, experts in information technology, and civil society groups, to facilitate the exchange of information on common issues related to Internet safety, with the goal of establishing consensus, exchange of best practices, and improved coordination throughout the hemisphere, paying exclusive attention to the use of the internet for instigation of violence, hate speech, and child pornography.
4. To advise the Member States to prioritize the development and promotion of equal access to the Internet for all groups and individuals regardless of ethnicity, race, religion, socio-economic background, location or disability.
5. To request the General Secretariat to pursue collaboration and partnerships with Member States as well as civil society, regional and international organizations, and the private sector for the promotion of access to Internet for all groups and individuals excluded or isolated by social, economic, geographic factors and/or for reason of disability-- herein referred to as marginalized groups.
6. To request the Secretariat for Legal Affairs, through its Department of International Law to consider the possibility of convening an Inter-American meeting of Ministers and highest authorities, to be held during the next General Assembly in Paraguay in 2014, to discuss both the promotion of access to the Internet for marginalized groups and the measures that each Member State has adopted to fulfill the recommendations outlined in clause one.

7. To emphasize that the actions established in clause six and three are to be undertaken with the utmost respect for the protection and exercise of freedom of expression in the use of information and communication technologies.

**MECHANISMS FOR THE PROMOTION AND PROTECTION OF
THE HUMAN RIGHTS OF PEOPLE WITH DISABILITIES**

THE MOAS/PC GENERAL ASSEMBLY,

RESPECTING the mandate of the Charter of the OAS, specifically the principle of non-intervention.

BEARING IN MIND the resolutions agreed upon by Member States concerning human rights, and recognizing that the rights of persons with disabilities are encompassed in these resolutions.

GIVEN the long tradition of cooperation between the OAS Permanent Observer countries and the Inter-American Commission on Human Rights.

TAKING INTO CONSIDERATION the existence of the Committee for the Elimination of all Forms of Discrimination (CEDDIS) created by the Inter-American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities in Guatemala City, Guatemala in 1999.

BASED ON the principle that inadequate recognition of such rights to any sector of the population fundamentally impairs the principle of justice, upon which the reality of peace and order in any nation is based,

RESOLVES:

1. To recommend the Member States the execution of a diagnostic assessment on the mechanisms in place within each Member State pertaining to the rights of individuals with disabilities in all OAS Member States.
2. To suggest that said diagnostic be performed by an NGO registered with the OAS under the supervision of the Inter-American Commission on Human Rights, and whose process will be subject to the approval of the Member State in which it is performing its function.
3. To direct the evaluators to develop and publish statistical indicators to assess the objectives of the 2006 Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities, i.e., social awareness, health, education, employment, accessibility, political participation, and participation in cultural, artistic, sports and recreational activities.
4. To charge the Department of Education and Culture of the Executive Secretariat for Integral Development of the OAS the creation of joint programs in designing, improving, and assessing policies and strategies aimed at increasing enrollment, quality, and equality levels for children with disabilities in initial/preschool

- education and the two first years of primary education (approximately under the age of eight).
5. To instruct the Inter-American Committee on Education to promote awareness programs on the theme of persons with disabilities that focus on the social and ethic responsibilities of the community to contribute to full citizenship of such persons, and to pursue public and private campaigns on the recognition and effective enjoyment of fundamental human rights by all persons, particularly persons with disabilities².
 6. To establish an Inter–American Network to facilitate direct bilateral cooperation between Ministries of Education, enabling them to exchange experiences, expert advice, and on-site analysis of programs and successful practices.
 7. To implement the Persons with Disabilities Employment Quota (PWDEQ), which suggests that private and public sector institutions implement a quota reflective of the population of persons with disabilities within its workforce. Each Member State may determine its own PWDEQ within its jurisdiction, in accordance with the principles and purposes of the OAS Charter and with the adequate participation of all interested parties, including that of persons with disabilities.
 8. To offer incentives to institutions which demonstrate a high concern for persons with disabilities through public outreach and service accessibility.
 9. To expand the mandate of CEDDIS to recognize those institutions which demonstrate at least a 2% increase in the PWDEQ and/or high standards of accessibility for disabled persons with an exclusively approved seal of inclusion as well as an award presented at an annual ceremony held by CEDDIS at the OAS for the institutions' recognition. Funding could be provided through partnerships with NGOs and other regional and international organizations such as the World Health Organization.

² The delegates of Antigua and Barbuda, Dominica, Grenada, Guyana, Jamaica, Saint Vincent and the Grenadines, and Suriname, representing a large segment of CARICOM, would like to reaffirm their commitment to the protection of the rights of persons with disabilities. However, these delegations possess serious reservations about the practicability of this resolution. Specifically, there are doubts about the sustainability and sufficiency of the mechanisms designed to ensure compliance with the resolution – including campaigns to promote awareness, the Inter-American Network between Education Ministries, quotas, and government incentives. The delegations also have concerns over identifying potential resources of funding. Additionally, the delegations express concern that clauses five through nine could infringe upon the sovereignty of our respective nations, thus violating our rights of self-determination.