

Contentious Issues in Democracy in Latin America: Freedom of expression and the right to communication and information

Santiago, Chile May 26-27

The role of governments as it relates to the promotion, protection, and guarantee of freedom of expression and the rights of independent media organizations has caused heated debate throughout the Americas in recent years. Governments in the region have responded to the emergence of mass media in myriad manners, yet little has been done to address the glaring need to normalize relations between the essential social entities.

Director Dr. Jennifer McCoy, Associate Director Marcelo Varela-Erasheva, and Program Associate Eva Zamarripa of the Americas Program, along with former Director of the United States National Public Radio (NPR) and Senior Consultant for the Media-Government Relations Project Prof. John Dinges, traveled to Santiago, Chile on May 24-28 to facilitate the Sub-regional Andean Conversation **“Freedom of expression and the right to communication and information in the Americas - Competing models of media and government roles”**.

The Conversation was organized by the Americas Program as part of its Contentious Issues in Democracy initiative in partnership with the World Association of Community Radios (AMARC), The Friederich Ebert Foundation/Chile and the University of Chile. The experts and stakeholders convened on May 26-27 with the purpose of soliciting a constructive reflection about contending models or paradigms that determine the role and relationships between private media and governments. The inaugural session of the event highlighted the Chilean Minister Secretary General of Government, Mr. Alvaro Elizalde, who delivered an encouraging message about the approach of the new Bachelet Administration as it regards access to public information and the tolerance of governmental authorities in the context of public criticism and oversight by citizens and private media.

“Freedom of expression and the right to communication and information in the Americas - Competing models of media and government roles”

The Conversation was funded by the Development Bank of Latin America (CAF) and the Open Society Institute (OSI). Mr. David Holiday, from the Washington office of OSI, attended the event.

Moderated by Prof. John Dinges, the Conversation featured two keynote lectures. For analytical purposes, two models that represent the polarized extremes of the continuum of approaches most often promoted for addressing the volatile relationship between governments and private media were utilized. These representative models emphasized the contrasting opinions on this dynamic and contributed to the Conversation by facilitating further discussion.

The liberal model: independence from government and self regulation.

This model was presented by Colombian expert and professor of the Universidad de Los Andes in Bogota, Omar Rincon. Dr. Rincon analyzed the predominant concepts of freedom of expression and freedom of the press found throughout Europe and the Americas, which serve as the foundations for this model. This approach was explored through its expressions found within the documents of the Inter-American Human Rights system and in the real world practices of private media, with careful attention paid to the nuances and differences in emphasis. Priority was given to the protection of media from government interference, which included a preference for self-regulation over government regulation as a means of maintaining the quality of media.



Dr. Jennifer McCoy with Minister Secretary General of Government, Mr. Alvaro Elizalde, who delivered an encouraging message about the approach of the new Bachelet Administration as it regards access to public information.

The Democratization of Communication and Regulation model

This model was presented by Dr. Romel Jurado, former legal adviser to the Legislative Commission that produced the new Organic Law of Communications in Ecuador. This approach stresses communication and information as a public right, which consequently requires the active participation of government in regulating the operation of media and the practice of journalism.



Costa Rican journalist and current director of the University of Costa Rica weekly newspaper, Mauricio Herrera, who worked in the special rapporteurship for freedom of expression of the Inter-American Commission on Human Rights, participated in the panel in the role of commentator to provide the views and concepts of the Inter-American Human Rights System regarding freedom of expression.

Experts and media representatives from Venezuela, Colombia, Ecuador, Peru, Bolivia, Uruguay and around 25 local participants from Chile actively engaged in the conversation.

As the two-day event reached its conclusion, all parties involved came to the consensus that private media – government relations are a relevant issue for Latin American democracies, where new approaches to these relationships are being actively developed. The participants also agreed that further reflection is needed to find a constructive and sustainable balance between self-regulation, governmental regulation and the professional practice of journalism.

This component of the Contentious Issues in Democracy in Latin America project is scheduled to conclude by December 2014 with the final sub-regional seminar in Bogota, Colombia on November 6-7 “Building and Effective Democracy: The Role of the Mass Media”. Following this final event, the Americas Program will publish a book in partnership with the Universidad de Los Andes and the Friederich Ebert Foundation/ Colombia, which will include the papers delivered in each of these seminars and conversations.

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