

SPECIAL DECLARATION OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES ON INTERNET GOVERNANCE PROCESSES

The Heads of State and Government of Latin America and the Caribbean, gathered in Costa Rica, on the occasion of the III Summit of the Community of Latin American and Caribbean States (CELAC) held on 28 and 29 January 2015;

Recognizing the importance of the Internet as an open global public good that must be managed and developed according to the public interest as an instrument that highly contributes to reach an Information and Knowledge Society;

Recognizing that the international management of the Internet should be multilateral, transparent, democratic, with the full involvement of governments, the private sector, civil society and international organizations; it should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism;

Reaffirming the need for progress in building a regional and national Internet governance frameworks, based on international law and the respect for human rights, the principles of democracy, social inclusion, peace, regional cooperation and integration, participation and multilateralism, than ensures non-interference and respect to the sovereignty of the States, as well as the right of all to privacy, in order to achieve a democratic, multistakeholder and inclusive Internet governance, and where all States' interests be represented, regardless of their stage of development;

Convinced also of the need to ensure the stability and security of the Internet and of ensuring the legitimacy for its governance, based on the full participation of all stakeholders, both developed and developing countries, in the exercise of their respective roles and responsibilities;

Remembering the strategic importance of the active involvement of States and Governments, the civil society, academic institutions and the private sector of Latin America and the Caribbean, in regional and global Internet governance processes;

Highlighting that the rights to privacy, to freedom of speech and opinion as a whole are conveyed in Article 12 of the Universal Declaration of Human Rights and in Article 17 of the International Pact of Civil and Political Rights;

Reaffirming our commitment to the provisions of Article 29 of the Universal Declaration of Human Rights, that everyone has duties to the community in which alone the free and full development of their personality is possible, and that, in the exercise of their rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations. In this way, we shall promote an Information Society where human dignity is respected;

Reaffirming that the same rights that people have off-line should be protected when they are online, as established in the resolutions A/HRC/RES/20/L.131 of June 2012 and A/HRC/RES/26/132 of June 2014 of the United Nations Human Rights Council;

Stressing the importance of the Tunis Agenda for the Information Society, resolution 68/167 2013 of December, 18th, 2013 of the Third Committee of the General Assembly of United Nations;

Taking as a base UNESCO's concept on the access to the Internet in the approach of multi-stakeholder, that advocates the access to the web in an open, accessible and participative manner, given that these same principles are enshrined in the spirit of the universalization of education, social inclusion, gender equity, multilingualism and multiculturalism in cyberspace, access to information and knowledge, ethical thinking and press freedom;

Recognizing the centrality of the principle of web neutrality as a basis for universal, affordable, unrestricted and equal access to the Internet and some content flowing through it;

Recognizing the importance of the information and communication technologies, including free software and hardware tools in human, social, cultural, scientific and technological development, while observing current regulations in each country;

Recognizing that the digital technologies, in particular *software*, are a living and dynamic representation of the processes of the public and private doing and therefore are a form of knowledge that have capacity of continuously direct the required changes for a constant evolution of our States and societies;

Reaffirming the need to promote digital development and digital sovereignty to foster social, economic and cultural progress of nations, in the framework of full respect to human rights;

Considering that cyber threats and cyber-attacks are a violation of the principles of International Law, in such a manner so as to constitute a threat to peace and stability of countries and regions;

Appreciating the potential that the region has of becoming a new "region of knowledge networks", in which the social, cultural, political and economic areas of our countries can be vitalized thanks to the networks that provide wide added value of knowledge to these processes and social dynamics;

HAVE RESOLVED:

1. Promote, defend and respect all human rights for all, including right to development in the context of the Internet.
2. Strongly condemn the actions of espionage and indiscriminate massive and global monitoring among countries by state and non-state actors, demanding absolute obedience to the rules of International Law, in relation to the respect for state sovereignty and human rights, especially privacy.

3. Promote actions and strategies to strengthen cyber-security and prevent cyber-crime, and in particular, create mechanisms for the eradication of cyber war and promoting the Internet as a space of peace.
4. Reaffirm the need that the use of Internet and the information and communication technologies be strictly in accordance with the principles of International Law and, in particular, the respect for the sovereignty of States and the non-interference in their internal affairs.
5. Deepen the process of promotion and sensitization of the Internet as a public good in the framework of the Post 2015 Development Agenda process of negotiation and implementation, as a mechanism to support and accelerate the advances in the fundamental aspects of the Sustainable Development Goals aiming to reach a democratic society and the Sustainable Development.
6. Take part in the revision process of the ten years of the World Summit on the Information Society, by the United Nations General Assembly in 2015.
7. Defend, protect and ensure web neutrality, as a pillar of the Internet Governance, so that Internet traffic flows without distinction or priority of its content, origin, destination, service, terminal, application.
8. Foster the adoption of inter-operability standards of hardware and software including those of free use, in the private scope as in public institutions, educational, scientific and of research, encouraging innovation, open access to knowledge, the use and reutilization of open data, while observing the current regulations of each country.
9. Progress in the development of plans for the strengthening of the communication infrastructure as a strategy to promote digital development in the region, establishing through plans for investment in construction, efficient management of radio spectrum, establishment of internet exchange points, infrastructure densification and construction of data centers at a national, regional and global level, and holding the character of the communications infrastructure as a public good.
10. Promote building regional networks of knowledge that vitalize and generate added value in the social, cultural, political and economic areas of our societies in all CELAC member States aspiring to turn Latin America and the Caribbean into a region of Knowledge Networks.
11. Call the international community to promote the transfer of technology and knowledge in favorable conditions for developing countries, including preferential terms and conditions, including ICTs, to adopt policies and programmes with a view to assisting developing countries to take advantage of technology in their pursuit of development through, *inter alia*, technical cooperation and the building of scientific and technological capacity in our efforts to bridge the digital and development divides.

Belén, Costa Rica, January 29th, 2015