

## **Itacuruçá Declaration**

### **27 October, 2000**

#### **LATIN AMERICA AND THE CARIBBEAN'S RECOMMENDATIONS TO UNESCO'S III INTERNATIONAL CONGRESS ON CYBERSPACE'S ETHICAL, LEGAL AND SOCIETAL CHALLENGES**

The InfoEthics 2000 Latin American and Caribbean governmental experts Consultative Meeting on “The Right to Universal Access to Information in the 21<sup>st</sup> Century: Ethical, Legal and Societal Challenges posed by the Information Society to Latin America and the Caribbean” was convened under the auspices of UNESCO and the Government of Brazil in Itacuruçá, Rio de Janeiro State, on 26 and 27 October, 2000.

Taking into account the aspirations expressed in the Florianópolis Declaration, particularly, the shared desire of Latin American and Caribbean countries to reach the year 2005, integrated as full-fledged members of the information society with efficiency, equity and sustainability, within the framework of a global economy based on knowledge and as a result of their discussions, the governmental representatives from the 18 participating countries (listed in Annex 1) decided to adopt the following Declaration, which will be proffered as the region's contribution to UNESCO's III International Congress on Cyberspace's Ethical, Legal and Societal Challenges:

#### **CONSIDERING**

1. The risk that current transformations caused by information and communication technologies may lead to deepen social inequalities within countries, as well as to widen the international asymmetry between developed and developing countries, the right to economic and social development, understood to be the democratic access to Knowledge Society, becomes the main contemporary ethical challenge posed by the Information Society.
2. The State's indispensable role in promoting universal access of its peoples to the benefits of the Information Society.

3. That the rights to education and access to culture [Articles 26 (1,2) & 27 (1)], as well as intellectual property rights [Article 27 (2)], inasmuch as all are human rights, must be understood as complementary to each other.
4. That access to information in cyberspace is an imperative social goal.
5. That tutelage of intellectual property constitutes a stimulus to the promotion of creativity and cultural industry.
6. That fair use or legitimate use, within the framework of copyright laws, is that which enables access to intellectual property, inasmuch as normal exploitation is not injured nor is unjustified harm caused to the author's legitimate rights.
7. That intellectual property rights treaties allow for the introduction of specific exceptions in benefit of the public good.
8. That the protection of information is not sufficiently guaranteed in Latin America and the Caribbean and that the privacy of personal data should be respected as an integral part of human rights.
9. That digital networks and information and communication technologies offer new opportunities for the expression of thought.

#### **RECOMMEND**

1. Adopting special policies and actions that favour developing countries with the aim of bridging the digital divide.
2. Strengthening those laws bearing on digital information, with a particular focus on fulfilling the requirements for the development of education, science and culture, within an adequate ethical framework for the Information Society.
3. The support of international organisations, within their areas of competence, to the efforts conducted by Member States to promote the construction of a communications infrastructure and Infostructure, covering their respective territories, which are available to all their population.
4. That Member States stimulate the production of local and national contents for public use to foster education, science and culture.
5. That Member States, with the support of competent international organisations, foster the creation of a regional information space for public use, to advance the development and integration of Latin American and Caribbean societies, increasing their visibility in the global information society.

6. That Member States tailor national legislation that does not embrace or include fair use to include and apply fair use to cyberspace. Additionally, that those national laws which do apply fair use broaden their range of application for the promotion of education, science and culture.
7. That Member States consider the convenience of adopting pertinent measures for the protection of human dignity within the cyberspace environment.
8. Creating a regional programme on the Information Society aimed at providing for the continuity of efforts carried out by Latin American and Caribbean countries to insert themselves fully into the digital era.