

## **RESOLUTION OF IAB 43<sup>rd</sup> GENERAL ASSEMBLY**

### **ECUADOR**

#### **WHEREAS:**

The National Assembly of Ecuador approved last June 14 The Communications Organic Law, which was enacted by the President of the Republic on June 22, 2013 .

#### **CONSIDERING:**

That the Law has been observed by the Special Rapporteur for Freedom of Expression of the IACHR and nongovernmental organizations involved in the defense of freedom of expression and human rights because it seriously violates international standards and the American Convention Human Rights.

That among other aspects contrary to the doctrine of freedom of expression, that law considers broadcasting as a public service, attributing to the State the authority to monitor and control the quality of the information and opinions that the media disseminate.

That to this end it creates a " Superintendent of Information and Communication Office" (Art. 55), which it defines as the " technical agency of monitoring , auditing , intervention and control , with power to impose penalties ", which is highly dependent on the Government, being the media subjected to the intervention and control of the government in Office and exposed to the broad powers to impose sanctions by the officers who will operate without judicial oversight or due process.

That the legal status of " media lynching " restricts any possibility of criticism and scrutiny exercise on public ombudsmen , as well as sanctions in terms of preconditions , specifically objected to by the Declaration of Principles on Freedom of Expression of the IACHR and the jurisprudence of the Inter-American Court of Human Rights. Those sanctions lead to unprecedented censorship.

That the imposition of hiring journalists as "professionals" in certain positions of the media, the imposition of ethical standards whose scope is defined in the law, and the fulfillment of which will be controlled by the administrative authority, are absolutely incompatible with international standards .

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That the obligation of having a "defender of their audiences and readers" (Art. 73 ), overseer of each medium to be appointed by open competition organized by a state administrative entity , is an intrusion that involves a serious risk to editorial independence of the media and an additional burden which will seriously affect the sustainability of small and medium media .

**THE 43<sup>rd</sup> GENERAL ASSEMBLY OF THE INTERNATIONAL ASSOCIATION OF BROADCASTING - IAB - MEETING IN RIO DE JANEIRO, BRAZIL, RESOLVES:**

To reject the approval and enactment of a law that clearly violates the American Convention and its application represents a serious setback for freedom of expression, which would force the Government of Ecuador to answer in court for all the affectation of fundamental rights arising from it.

To alert the international community on the set of instruments that violate freedom of expression established in the Law, which are a blatant contempt of the American Convention, the Democratic Charter and the international recommendations and standards.

Rio de Janeiro , October 16, 2013