



# Derechos Digitales

Annual Report 2022

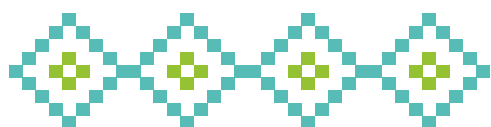


**DERECHOS  
DIGITALES**  
América Latina

# Summary



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## Message From Our Co-Executive Directors

As 2022 began, a sense of hope was starting to grow in many parts of the world: vaccines made to reduce COVID-19 infections and symptoms were making a difference and reaching more people. Slowly, aspects of pre-pandemic life were materializing again and, after two dramatic years, the world seemed to be realigning itself.

However the year also began with a global turmoil: an invasion in Eastern Europe created a humanitarian crisis of incalculable human cost, diverting attention from other crises in East Africa, South Asia, and Latin America. New inequalities, internal and external, became apparent, now under the pressure of life-threatening risks of an ongoing pandemic.

As in much of the world, Latin America has seen the worsening of several overlapping crises, exacerbated by an economic crisis in full development. Yet, there was also great hope in the region, with the resistance against abuse and injustice, and through political participation in several elections.

In Latin America, 2022 started with revelations of journalists being hacked in El Salvador, similar to what was discovered years earlier in Mexico, revealing that illegal state espionage with the use of imported tools continues in the region.

At the same time, mass surveillance is still an unfinished dispute. In a significant victory for local activism in Mexico, the invasive National Registry of Mobile Phone Users (PANAUT, an acronym in Spanish), approved at the end of 2021, was declared unconstitutional, forbidding the link between the identity of a phone user and their biometric information, among other data, in a decision announced in April. Shortly before, the use of an automated facial recognition system in the subway of São Paulo (Brazil) was interrupted, although the courts authorized it later. That battle continues, now against an initiative to extend facial recognition to the entire city. Meanwhile, in Buenos Aires (Argentina), the courts declared facial recognition systems unconstitutional.

In Colombia, there is an ongoing concern about the incorporation of legal mechanisms for risky digital identity models, as well as a debate on net neutrality and zero-rating, have become part of the agenda following the sharp violence escalation during the 2021 protests. The use of electronic voting machines for the electoral process was, as always, subject to scrutiny.

Similar to Colombia, and before the eyes of the world, a new presidential election in Brazil offered hope. However, it also exposed some of the region's worst fears: clumsy attempts to control disinformation threatened to disrupt the functioning of personal messaging, while the government and private companies faced several accusations of spreading misinformation and attempting to control online discourse. All of this happened while spending on hacking and surveillance technology increased, raising concerns for the future.

Certainly, social protests of recent years have not ceased. In Ecuador, we were part of the civil society demands against repression and surveillance in the context of social mobilizations in the middle of the year. We submitted multiple background to the United Nations about the violation of rights, especially those related to freedom of expression and protest, in a report within the context of the Universal Periodic Review. Meanwhile, the controversial trial against Ola Bini continues, despite the reported violations of due process. We also testified that repression against free expression and protest continues in Nicaragua, including raids and closures of organizations and media outlets, alarming the international experts who demand access to the country. In Venezuela, reports from both the telecommunications industry and civil society showed the level of surveillance and repression.

At the same time, Brazil was making progress in an area that is sensitive for the entire region: the protection of personal data. Although this debate is not unrelated to the current situation, Brazil made progress in granting special autonomy to its new personal data control authority. Meanwhile, Ecuador –which enacted its law in 2021– began the implementation of its regulatory process this year. In Chile, step by step, progress is being made on a project to replace a law that is currently ineffective in public cases of violations of data rights.

We witnessed the discussion about a new artificial intelligence law in Brazil, along with law initiatives on cybersecurity, disinformation, and cybercrime in several countries in the region. Our monitoring work continues intensively to identify the opportunities and risks to freedoms and rights that may accompany these initiatives. We are involved in the debate for a new constitution in Chile, with proposals that have emerged from different places and groups in the country.

However, we also take advantage of global instances that affect Latin America. For example, we contribute to reports by United Nations expert offices on internet blackouts, artificial intelligence, and privacy. We are involved in processes such as the International Telecommunication Union plenipotentiary meeting, the crucial discussion on a new cybercrime treaty, the global debate on norms for state behavior in cyberspace, and much more.

All of the above is just a sample of how intense our activism was this year. Nevertheless, there was also a great deal of collaboration, which we believe is an essential part of projecting Derechos Digitales' work into the future.

As an organization, it was also a crucial year for cooperation opportunities in the region. We once again hosted a virtual event of propagation, exchanges, and learning. We participated very actively in the organization of the Latin American and Caribbean Internet Governance Forum, the LAC IGF. We met with our allies from the Al Sur coalition to start thinking about the future, in a first face-to-face meeting after years. We held numerous workshops and meetings with organizations and institutions at regional and global levels. Furthermore, as organizing partners, we joined the Movement for a Better Internet, with great hope.

We also succeeded in supporting 21 action initiatives from 12 countries in the region through our Rapid Response Fund, not only facilitating a quick response to emergency situations but also promoting learning in multiple activism contexts. It is through processes like this that the 2021 collaboration with ODIA, from Argentina, contributed to the declaration of unconstitutionality of the facial recognition system in Buenos Aires. Support mechanisms such as this Fund demonstrate that there are new possibilities for the articulation between organizations in the region.

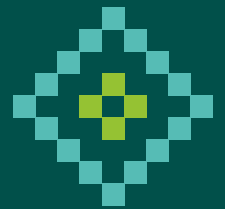
Most importantly, in a time of great global change, we have consolidated a strong team, from very diverse backgrounds and profiles, strengthening our ability to work in different areas.

Although it has been a challenging year, we are proud of the path we have taken and very hopeful about the one that will be taken next. Looking back introspectively has been a source of great learning, as well as an important reflection on what must go on. We believe in our rights and our ability to create a more just future for Latin America.

**J. Carlos Lara and Jamila Venturini.**  
**Co-executive directors.**



# I. Our Organization



## About Derechos Digitales



Derechos Digitales is a Latin American, independent, non-profit organization founded in 2005, whose fundamental objective is developing, defending, and promoting human rights in digital environments.

Our **vision** is to contribute to a more just, inclusive, and egalitarian Latin American society, in which Derechos Digitales can participate, directly and in coordination with other organizations, in the defense of human rights in the digital environment, so that technologies can be at the service of the integral development of people.

The **mission** of Derechos Digitales is to defend, promote, and develop human rights in the digital environment in Latin America, through the study, dissemination of information, and advocacy in public policies and private practices, fostering social change based on respect and human dignity.

## The Focus of Our Work



Derechos Digitales analyses state and private practices concerning digital technologies and generates advocacy strategies in favor of exercising human rights.

The role of technologies in the exercise of civil and political rights, as well as economic, social, and cultural rights-both in their individual and collective aspects-is key to our work; equally important is the pursuit of social justice.

Derechos Digitales works to strengthen and represent Latin American perspectives in the design of public and private policies, in a sustained effort to strengthen the regional human rights system, internet governance spaces, and local capacities in technology policies, aligned with the protection of human rights.

## Our Team

During 2022, the Derechos Digitales team was composed of:

- Jamila Venturini, Juan Carlos Lara; Michel de Souza, Miguel Flores, Vladimir Garay; Belén Roca, Camila Lobato, Débora Calderón, Ignacio Escobar, Ileana Silva, Juliana Guerra, Laura Hernández, María Encalada, María Paz Canales, Mayra Osorio, Michelle Bordachar, Paula Jaramillo, Patricio Velasco, Rafael Bonifaz and Victoria Verrastro.

were interns at Derechos Digitales in 2022:

- Emmi Tilvis (Tampere University) and Daniela Horta (Universidade de São Paulo). Sebastián Lehuedé (The London School of Economics and Political Science) and Anna Bentes (Federal University of Rio de Janeiro) collaborated with Derechos Digitales as visiting researchers. Alejandra Erramuspe worked as a consultant for the Coordination and Production of Events throughout the year.
- Brazilian researcher **Pedro Mizukami** collaborated with Derechos Digitales as a consultant, leading a research inspired by the global initiative Ranking Digital Rights (RDR), which will be launched in 2023.

## Board of Directors and Advisory Board

In 2022, the Board of Directors was:

- Flavio Tapia, President.
- Paula Jaramillo, Vice President.
- Roberto Cerda, Treasurer.
- Claudio Ruiz, Secretary.
- Daniel Álvarez, Director (*until August 2022*).

Our Advisory Board was:

- Valeria Betancourt
- Miguel Pulido
- Carolina Rossini
- Arturo Carrillo



## Our Platforms and Websites

Here you can find and learn more about our work:

### [derechosdigitales.org](https://derechosdigitales.org)

Institutional website where you will find our weekly analyses, publications, and all the information related to our work and organization.

### [ia.derechosdigitales.org](https://ia.derechosdigitales.org)

“Artificial Intelligence and Inclusion in Latin America” project website, which compiles our research and other materials we have produced on this matter.

### [derechosdigitales.org/microsd/](https://derechosdigitales.org/microsd/)

Tool website, digital security tool for journalists and social communicators.

### [reconocimientofacial.info](https://reconocimientofacial.info)

Website that documents information and news about the implementation of facial recognition technologies, with a focus on Latin America.

### [tor.derechosdigitales.org](https://tor.derechosdigitales.org)

“Torificate” campaign website, which compiles instructions, graphic material, and useful information about the Tor network and how to collaborate on it.

### [derechosdigitales.org/participa/](https://derechosdigitales.org/participa/)

Here you can subscribe to our weekly newsletter, featuring the latest news on technology and human rights around the world, with a special focus on Latin America.

And our social networks:



Twitter — [@derechosdigital](https://twitter.com/derechosdigital)

Instagram — [@derechos\\_digitales](https://www.instagram.com/derechos_digitales)

Facebook — [@derechosdigital](https://www.facebook.com/derechosdigital)

Youtube — [@DerechosDigitales\\_latam](https://www.youtube.com/DerechosDigitales_latam)

Linkedin — [linkedin.com/company/derechos-digitales](https://www.linkedin.com/company/derechos-digitales)

Mastodon.social — [@derechosdigital](https://mastodon.social/@derechosdigital)

Tumblr — [derechosdigitales.tumblr.com](https://derechosdigitales.tumblr.com)

## International Networks

Derechos Digitales is an active member of various international collaboration networks, which work on different aspects related to the promotion of human rights in digital environments and internet governance.

### ✚✚ Advisory Group of the Global Partnership for Action on Gender-Based Online Harassment and Abuse

In October 2022, Derechos Digitales joined the Advisory Group of the Global Alliance for Action Against Online Harassment and Abuse, which brings together governments, international organizations, civil society, and the private sector to better understand, prevent, and address gender-based violence facilitated by technology. The Global Alliance is part of the Technology for Democracy initiative, led by Denmark. Check their [website](#).

### ✚✚ Al Sur

A consortium of eleven civil society and academic organizations from Latin America that jointly seeks to strengthen human rights in digital environments. Its work is distributed into six main thematic areas: access, surveillance, personal data, cybersecurity, intermediary liability, and artificial intelligence.

Derechos Digitales is one of the founding organizations of the consortium. Part of our role is to manage resources and coordinate research projects in favor of the defense and promotion of human rights in digital environments at a regional level. Check their [website](#).

### ✚✚ Alianza A+ y Red f<A+>r

The <A+> Alliance for Inclusive Algorithms is a global, multidisciplinary feminist coalition, organized by Women@theTable and the Tecnológico de Costa Rica, that brings together academics, activists, and technologists, who create prototypes for the future of artificial intelligence and automated decision-making to accelerate gender equality with technology and innovation. Check their [website](#).

### ✚✚ Latin American Civil Society Alliance for Fair Access to Knowledge

A group of organizations working towards a better balance between copyright and activities related to culture and education, to guarantee access to knowledge and the right to research in Latin America and the Caribbean. The Alliance also participates in the Right to Research in International Copyright Project and the Coalition for Access to Knowledge. Check their website.

### ✚✚ Alliance for Encryption in Latin America and the Caribbean, AC-LAC

A network of 23 organizations from Latin America and the Caribbean representing the various sectors of the digital ecosystem, with the mission of establishing a platform for the collective capacity-building and knowledge around encryption, a fundamental tool for security and respect for human rights in the region. Check their website.

### ✚✚ Association for Progressive Communications (APC)

The APC network seeks to empower and support organizations, social movements, and individuals in using information and communication technologies (ICTs) to create communities and strategic initiatives, aiming for a significant contribution to human development, social justice, political participation processes, and environmental sustainability. Check their website.

### ✚✚ Coalition Against Online Violence

The Coalition Against Online Violence is a group of organizations from around the world working to find solutions to the abuse, harassment, and other forms of online violence faced by women journalists. Check their website.

### ✚✚ Forum on Information & Democracy

The Forum on Information & Democracy is a non-profit organization run by civil society organizations with a mandate to implement the democratic principles of the International Partnership on Information and Democracy. It is a global and concerted collective effort, with representation from all regions of the world, in favor of a democratic space for information and communication. Check their website.

### ✚✚ Global Encryption Coalition

The Global Encryption Coalition (GEC) was founded in 2020 by the Center for Democracy and Technology, Global Partners Digital, and the Internet Society, and today has over 300 members. Its mission is to promote and advocate for encryption in key countries and multilateral forums. The GEC also supports companies' efforts to offer encrypted services to their users. Check their [website](#).

### ✚✚ Global Network Initiative (GNI)

The Global Network Initiative (GNI) was launched in 2008 as a platform composed of companies from information and communications technology (ICT), human rights organizations, freedom of the press, academics, and investors. GNI's mission is to protect and promote freedom of expression and the right to privacy in the ICT industry, by setting a global standard for responsible business decision-making and serving as a multi-stakeholder voice in the face of government restrictions and demands. Check their [website](#).

### ✚✚ Global Network of Internet and Society Research Centers

The Global Network of Internet and Society Research Center's aims is to increase cooperation among participating centers to facilitate knowledge exchange, foster synergy, and collectively address transnational problems at a global level. The network promotes and facilitates joint research activities and events, bringing a global perspective to current debates on the internet and society. Check their [website](#).

### ✚✚ IDRC Cyber Policy Centres

Initiative that aims to strengthen research and influence public policy on critical issues in digital policy development. It seeks to ensure that decision-makers in the Global South use objective and high-quality research in policy development related to the implementation of technologies. Check their [website](#).

### ✦✦ IFEX-ALC

Alliance that brings together 24 organizations from across the region, with the common purpose of defending and promoting freedom of expression. The alliance supports the individual and collective efforts of its members, leading to political mobilization and achieving significant outcomes on key issues related to freedom of expression in the region. Check their [website](#).

### ✦✦ Movement for a Better Internet

The Movement for a Better Internet is a collaborative effort to ensure that internet development is guided by public interest values. The movement brings together diverse voices and facilitates connection, resource sharing, and policy change based on a shared vision and public interest agenda for an internet that benefits all people. Check their [website](#).

### ✦✦ Latin American Observatory of Digital Threats (OLAD)

The Latin American Observatory of Digital Threats (OLAD) is an alliance promoted by Derechos Digitales, for the monitoring, analysis, and visibility of digital incidents and threats in Latin America. It seeks to strengthen local capacities and cooperation within the alliance and serve as a platform for exchange and research. OLAD arises from the need to articulate technical capacities, share resources, and build studies on digital incidents and attacks in the region, with an intersectional perspective to contribute to strengthening the defense of human rights in digital environments.

### ✦✦ OCDE Civil Society Information Society Council (CSISAC)

The Civil Society Information Society Council, (CSISAC) is the voice of civil society within Digital Economy Advisory Committee of the Organization for Economic Cooperation and Development (OECD). It facilitates the exchange of information between the OECD and civil society participants, leading to better-informed and more widely accepted policy frameworks. The formal recognition of this Advisory Committee by the OECD was the result of an effort initiated in the 1990s to promote equal participation in global policy-making. Check their [website](#).

### ✚✚ Open Data for Development (OD4D)

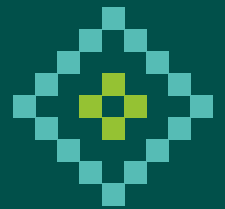
The Open Data for Development (OD4D) program is a global network that supports critical research and the evolution of open data ecosystems, especially in developing countries, to drive social change, increase government transparency, and advance the Sustainable Development Goals. Check their [website](#).

### ✚✚ Freedom Online Coalition (FOC) Advisory Network

The Freedom Online Coalition (FOC) Advisory Network is a platform for multi-stakeholder dialogue that advises governments that are members of the Coalition. It organizes collaborative forums and explores possibilities for cooperation to promote human rights online. The Advisory Network is a key mechanism for the Coalition to regularly engage with non-governmental stakeholders involved in internet governance. Check their [website](#).



## II. Our Work in 2022



## 2022 in Numbers

### During 2022, we, from Derechos Digitales:

- ✚ Participated in more than **60 international events**.
- ✚ Made **27 contributions to consultation processes** on technologies and human rights issues for authorities at the global, regional, and national levels.
- ✚ Released **9 new publications**, including original research, guides, and resources.
- ✚ Promoted **15 online and offline events** with regional experts, seeking to expand knowledge and strengthen discussions on human rights and technologies in Latin America.
- ✚ Appeared in the press **more than 60 times** throughout the year, consulted on matters related to technology and human rights.
- ✚ The Rapid Response Fund for the Protection of Digital Rights in Latin America (FRR) **provided USD 165,950.00** to support **21 projects** by organizations and activists in **9 countries** across the region.

### In Addition, Our Organization:

- ✚ Published **56 articles** on the human rights situation, with a special focus on Latin America.
- ✚ Received **105982 visits** to the institutional website.
- ✚ Gained **1373 new followers on Twitter, 858 on LinkedIn, over 1,000 on Instagram, and 206 on Facebook**.
- ✚ Sent out **54 newsletters**, closing the year with **7875 subscribers**.



## Our 2022: A Timeline



### January

We held the Regional and Global Impact in Digital Rights Workshop.

We participated in the Forum on Freedom of Expression, organized by RELE and Freedom House.



### February

We started the course “Artificial Intelligence and Human Rights in Public Policies: Beyond Privacy” aimed at female public officials throughout Latin America.

Together with other Latin American civil society organizations, we submitted an amicus curiae against the creation of the National Registry of Mobile Telephone Users (PANAUT) in Mexico, arguing that it violates the right to privacy and protection of personal data, among others.

We published “Internet shutdowns and human rights”, a joint response with APC to the United Nations Human Rights Council consultation.

We released “Artificial Intelligence and Participation in Latin America: National AI strategies”.



### March

We developed a training session cycle using Safetag digital security methodology for social organizations, in partnership with Internews.

We participated in the first session of the Special Committee tasked with elaborating a comprehensive international convention on the fight against the use of Information Technology (IT) and the communications for criminal purposes at the United Nations.



## April

We published the study “Fundamental Rights in the New Constitution for the Digital Age: Citizenship Perceptions”.

We published our joint recommendations to the Universal Periodic Review of Brazil and Ecuador, a UN process on the human rights situation in member countries.



## May

We participated in the 42nd session of WIPO Standing Committee on Copyright and Related Rights.

We participated in a public hearing on AI in Brazil, within the framework of the “Legal Framework for Artificial Intelligence” debate.

We presented an amicus curiae in Colombia, in a case supporting internet neutrality.

We launched new publications:

- The study “Budapest Convention on Cybercrime in Latin America”.
- The 2021 edition of “PubliElectoral”.
- Two new case studies on artificial intelligence in Brazil and Chile, and our recommendation kit for the AI implementation.



## June

We organized the second edition of the regional meeting “Human Rights, Social Justice, and Technologies”, which brought together prominent Latin American personalities in the fields of human rights and technology, aiming to share experiences and foster a space for dialogue, in order to enhance networking and collaboration among participants.

We participated in the World Conference on Telecommunications Development (CMDT), the 12th Brazilian Internet Forum, the Social Innovation and Technology Festival, and RightsCon.

We held our annual retreat with the full-team in Santiago, Chile.



## July

We participated in the Computer Science, Privacy, and Data Protection Conference (CPDP) in Rio de Janeiro and in a series of talks organized by the Chamber of Deputies of Chile.

Launch of two new publications: “Electronic Voting and Considerations on Public Policy in Latin America” and “Towards a Feminist Framework for the Development of AI: from Principles to Practice”.



## August

We participated in the Global Alliance for Action on Gender-Based Online Harassment and Abuse meeting in Wilton Park, England.

We presented an amicus curiae in Colombia, in a case concerning interruptions to internet access in Cali, during the National Strike demonstrations in April and May 2021.

We participated in the Artificial Intelligence Week, organized by the Latin American Open Data Initiative (ILDA, acronym in Spanish).



## September

We participated in the 2022 Plenipotentiary Conference of the International Telecommunication Unions (ITU).

The facial recognition system for fugitives in the City of Buenos Aires is declared unconstitutional. Prior to that, Derechos Digitales had submitted an amicus curiae concerning the matter.



## October

Derechos Digitales joined the Coalition Against Online Violence and the Advisory Group of the Global Alliance for Action on Gender Based Online Harassment and Abuse.

Derechos Digitales co-chaired the preparatory meeting for the 67th session of the United Nations Commission on Legal and Social Status of Women (CSW Expert Group Meeting: Innovation and Technological Change, and Education in the Digital Age for Achieving Gender Equality and the Empowerment of All Women and Girls).



## October

We participated in a World Trade Organization (WTO) seminar on privacy and data protection.

We launched the fifth edition of “Who defends your data – Chile”.

We carried out the logistical coordination of the 15th edition of the Latin America and the Caribbean Internet Governance Forum (LACIGF).



## November

We participated in the 41st session of the Universal Periodic Review (UPR) in Geneva, Switzerland.

Participation in the online panel “Can artificial intelligence be ethical and safeguard rights and, despite this, be unfair?”, within the framework of the Conference organized by the Global Partnership on Artificial Intelligence (GPAI).

Derechos Digitales organized all three parallel meetings which were held in Santiago, Chile: the Ford Beneficiary Network, the FRR Committee, and the Network of OLAD members.



## December

We participated in the 17th edition of the Internet Governance Forum (IGF), and represented civil society by delivering an opening speech during the inaugural session.

We participated in the meeting of the Open-Ended Working Group (OEWG) on the security of and in the use of information and communications technologies (2021-2025).

## Participation in International Consultations

During 2022, Derechos Digitales participated in various consultation processes at local, regional, and global levels, providing a Latin American and human rights perspective to issues related to the implementation and use of technologies in the framework of public policies. Here are some examples:

### **Amicus curiae: strategic litigation on the implementation of the facial recognition system for fugitives in Buenos Aires**

In December, Derechos Digitales filed an *amicus curiae*<sup>1</sup> in support of a legal action to stop the Facial Recognition System for Fugitives of the City of Buenos Aires. The action was filed by the Observatory of Argentine Computer Law (ODIA) against the Government of Buenos Aires, in order to analyze the constitutionality of the system and the conventionality of its application, along with precautionary measures to suspend its use. This action, supported by the Rapid Response Fund for the Protection of Digital Rights in Latin America (FRR), resulted in the interruption of the facial recognition display in the public transport system. In April 2022, a court order mandated the suspension of the system's operation and, in early September, the City's Administrative Litigation Judge, Elena Amanda Liberatori, declared its unconstitutionality.

### **Amicus curiae: National Registry of Mobile Phone Users (PANAUT)**

In February, Derechos Digitales was one of 12 Latin American civil society organizations that filed an *amicus curiae*<sup>2</sup> to the Supreme Court of Justice of the Nation (Mexico), requesting the declaration of unconstitutionality of the reform to the Federal Law of Telecommunications and Broadcasting. This reform would implement a new database called the National Registry of Mobile Telephone Users (PANAUT) under the pretext of combating extortion and kidnapping. To allegedly achieve this, the reform required the collection of sensitive personal data from 88 million people as a condition for accessing mobile services.

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1 Available at <https://www.derechosdigitales.org/wp-content/uploads/Argentina-amicus-curiae-en-relacion-con-el-expediente-182908-2020-0.pdf>

2 Available at <https://r3d.mx/wp-content/uploads/Amicus-PANAUT-08022022.pdf>

## Amicus curiae: Net Neutrality in Colombia

In May, Derechos Digitales filed an *amicus curiae*<sup>3</sup> in the lawsuit against Article 56 of Law 1450, enacted in 2011 in Colombia. This law allows internet service providers to offer differentiated rates to their users through “zero rate” or zero rating plans, which promote the use of certain services or applications by exempting the data discount from the contracted plan. These practices violate the principle of net neutrality, which promotes equal treatment for all data packets circulating on the internet, guaranteeing information pluralism, freedom of expression, the right to privacy, and habeas data of internet users, among other rights.

## Amicus curiae: Internet blackout during protests in Colombia

In August, Derechos Digitales submitted a memo in support of legal action<sup>4</sup> filed by Fundación Karisma, El Veinte, the Center for Internet and Society at Universidad del Rosario, and the Foundation for Press Freedom (FLIP), demanding the protection of the rights to freedom of expression, association, and assembly from the Colombian authorities due to internet access disruptions in Cali during the National Strike protests between April and May 2021.

## Internet Blackouts and Human Rights

In June 2022, during the 50th session of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights produced a report on the impact of internet shutdowns around the world.

As a contribution to this process, Derechos Digitales and the Association for the Progress of Communications published “Internet Shutdowns and Human Rights”,<sup>5</sup> which compiles information related to the occurrence of internet blackouts in Africa, Asia Pacific, and Latin America (region analyzed by Derechos Digitales), with contributions from TEDIC on the case of Paraguay.

The report also serves as the foundation for a toolkit on internet blackouts for Latin America, which is set to be published in 2023.

<sup>3</sup> Available at <https://www.derechosdigitales.org/wp-content/uploads/Amicus-Colombia-Neutralidad-de-red-VF.pdf>

<sup>4</sup> Available at [https://www.derechosdigitales.org/wp-content/uploads/DD\\_Amicus-Colombia-Paro-Nacional.pdf](https://www.derechosdigitales.org/wp-content/uploads/DD_Amicus-Colombia-Paro-Nacional.pdf)

<sup>5</sup> Available at [https://www.derechosdigitales.org/wp-content/uploads/internet\\_shutdowns\\_and\\_human\\_rights\\_ohchr\\_submission\\_2022-1.pdf](https://www.derechosdigitales.org/wp-content/uploads/internet_shutdowns_and_human_rights_ohchr_submission_2022-1.pdf)

## United Nations Ad Hoc Committee on Cybercrime

During the first plenary session of the United Nations Ad Hoc Committee on Cybercrime, in March, Derechos Digitales presented observations on the draft of the upcoming cybercrime convention through an open statement<sup>6</sup> and direct intervention<sup>7</sup>.

Throughout the various sessions of the Ad Hoc Committee, the organization raised **several concernss** regarding the **text**. Prior to the fourth session, Derechos Digitales signed a **letter** addressed to Faouzia Boumaiza, Chair of the Committee, highlighting concerns about the draft, particularly regarding the restriction of its application exclusively to cybercrime. More than 80 regional and international organizations **also signed the draft, endorsing** the content of this letter.

Sessions will continue throughout 2023, so Derechos Digitales will continue to be an active civil society participant in the discussions held by the committee from now on.

## Contribution to the report of the United Nations High Commissioner Office for Human Rights on the Right to Privacy in the Digital Age

In June, Derechos Digitales documented<sup>8</sup> and systematized the Latin American experience regarding the right to privacy in the digital age, presenting some trends in recent years in Latin America, including issues such as the mass collection and processing of personal data, large-scale surveillance, and the importance of encryption in communications to preserve privacy and security. The report emphasized conflicts related to the protection of personal data during the COVID-19 pandemic, state surveillance through facial and biometric recognition systems, and the persecution of digital rights activists, such as Ola Bini in Ecuador and Javier Smaldone in Argentina.

6 Available at <https://www.derechosdigitales.org/wp-content/uploads/DD-statement-to-AHC-2022.03.01.pdf>

7 Available at <https://www.derechosdigitales.org/wp-content/uploads/DD-statement-to-AHC-2022.03.08-Item-7.pdf>

8 Available at <https://www.derechosdigitales.org/wp-content/uploads/2022.06.03-Derechos-Digitales-Right-to-privacy-OHCHR.pdf>

## Comments on Chile's Constitutional Proposal

During the first half of 2022, as part of the development of a proposal for a new Constitution for Chile, Derechos Digitales provided comments on various topics related to technology and human rights addressed in the draft.

In March, Derechos Digitales referred<sup>9</sup> to some of the norms presented to the Plenary Session of the Constitutional Convention in the first report of the Commission on Fundamental Rights: the right to freedom of expression, the inviolability of communications and the home, and copyright and intellectual property.

Later, together with Wikimedia Chile and the Chilean Association of Librarians, the organization prepared a memorandum on the proposed<sup>10</sup> copyright framework for the new constitution, along with another document<sup>11</sup> on cultural rights and the strengthening of the public domain, which highlighted the work carried out by the Convention on the promotion of the public domain, the defense of cultural rights, and the enjoyment of the benefits of knowledge.

Finally, Derechos Digitales analyzed the changes introduced by the Harmonization Commission,<sup>12</sup> which was responsible for ensuring the coherence and consistency of the entire proposal. The analysis raised concerns about the potential negative impact of certain modifications and omissions on the protection of the right to privacy and the inviolability of communications.

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9 Available at <https://www.derechosdigitales.org/wp-content/uploads/Minuta-sobre-report-commission-ddff-March10.pdf>

10 Available at <https://www.derechosdigitales.org/wp-content/uploads/Minuta-derechos-culturales-dominiopublico-Nueva-Constitucion.pdf>

11 Available at <https://www.derechosdigitales.org/wp-content/uploads/Minuta-right-of-copyright-20220328.pdf>

12 Available at <https://www.derechosdigitales.org/wp-content/uploads/DD-Nueva-Constitucion-Minuta-inviolabilidad-comunicaciones-junio-2022.pdf>



## Publications

During 2022, Derechos Digitales prepared and presented the following publications:



### Who defends your data? Chile 2022

The fifth installment of the report *Who Defends Your Data?*, an evaluation of how Chilean companies that provide internet services protect their clients' data, especially against possible abuses by state authority.

Available in [spanish](#).



### Towards a feminist framework for AI development: from principles to practice

Review of the power relations embedded in the field of AI, through an interpretive analysis of the experiences of seven women working in the field of AI or data science in the region.

Available in [spanish](#) and [english](#).



### Budapest Convention on Cybercrime in Latin America: A Brief Analysis on Adherence and Implementation in Argentina, Brazil, Chile, Colombia and Mexico.

Analysis of the challenges in implementing and harmonizing the provisions established by the Budapest Convention with the legal systems and regulatory frameworks of the Latin American countries that adopted it.

Available in [spanish](#), [english](#) and [portuguese](#).



### PubliElectoral – Chile, 2021

Research on the use of Facebook during the presidential campaign in Chile in 2021, evaluating the compatibility of such practices with current electoral regulations.

Available in [spanish](#).



### Electronic voting and public policy considerations in Latin America

Review of the status of electronic voting around the world, with special emphasis on Latin America, which seeks to clarify issues related to its feasibility, risks, and potential advantages.

Available in [spanish](#).



### Fundamental rights in the new constitution for the digital age: Perceptions of citizenship

This research describes the main expectations and concerns of citizens regarding the exercise of rights in digital environments, within the framework of the constitutional process in Chile.

Available in [spanish](#).



### Artificial Intelligence and participation in Latin America: National AI strategies

A Research that analyzes the participation of stakeholders in the development of the National Artificial Intelligence Strategies of Brazil, Colombia, Chile, and Uruguay.

Available in [spanish](#), [english](#) y [portuguese](#).



### Emergency Aid in Brazil: Challenges in the Implementation of a Datafied Social Protection Policy

Analysis of the “Emergency Aid” program, implemented in Brazil, which uses an automated decision-making system to evaluate the distribution of social aid to the most vulnerable populations, to mitigate the effects of the COVID-19 pandemic.

Available in [spanish](#), [english](#) y [portuguese](#).



## Urban Crime Prevention System: Algorithmic Production of Surveillance Zones and Control in the City

Analysis of the system developed by the Center for Analysis and Modeling in Security (CEAMOS) at the University of Chile, together with Carabineros, which was implemented in 58 police stations throughout the country. The system aims to efficiently direct preventive police patrols by defining areas for increased surveillance and control.

Available in spanish, english y portuguese.



## Useful Tools for Decision Making on AI Implementation

Toolkit produced to assist the decision-making process on the implementation of AI technologies in public policy. It includes a glossary of key concepts, a list of recommendations to ensure participation, a list of notable initiatives in the development and implementation of public policies that incorporate AI, a list of key questions to consider when implementing AI-based public policies, and a recommended bibliography.

Available in spanish.

All publications are available on our website:  
[https://www.derechosdigitales.org/tipo\\_publicacion/publicaciones/](https://www.derechosdigitales.org/tipo_publicacion/publicaciones/)



## Notable Participation in International Events

During 2022, Derechos Digitales participated in more than 60 events of global, regional, and local scope, bringing a Latin American perspective to discussions on technology and human rights. Some of the events we took part in are as follows:

### ❖ Standing Committee on Copyright and Related Rights

The 42nd session of the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization (WIPO) took place from May 9th to 13th, 2022, in Geneva, Switzerland. Michelle Bordachar, (former) Derechos Digitales Public Policy Analyst, participated in this session as part of the activities contemplated within the “Arcadia Project” framework, which strives for greater flexibility in the copyright system to facilitate research activities.

During this event, the Latin American Civil Society Alliance for Fair Access to Knowledge was articulated, comprising six organizations from the region: Karisma Foundation (Colombia), Vía Libre Foundation (Argentina), Datysoc (Uruguay), Hiperderecho (Peru), IBDAutoral and InternetLab (Brazil) and Derechos Digitales.

### ❖ Plenipotentiary Conference of the International Telecommunication Union

The International Telecommunication Union (ITU) is the specialized agency of the United Nations for information and communication technologies (ICT). The latest version of the Plenipotentiary Conference of the International Telecommunication Union (ITU) was held in Bucharest, Romania, from 26th September to 14th October 2022.

This event is held every four years and determines the path to be followed by this organization in various aspects, including its general policies, strategic and financial plans, and the composition of its senior management team.

In order to present a Latin American and human rights perspective in the discussions on technological infrastructure, our Director of Public Policies, Michel de Souza, attended the conference.

## ❖ International Seminar on Privacy and Personal Data Protection

As part of the e-commerce negotiations at the World Trade Organization, which took place from 25th to 28th October 2022, the European Consumer Organization (BEUC, an acronym in French) and Consumers International sponsored an international seminar on privacy and personal data protection.

María Paz Canales, (former) International Public Policy Advisor for Derechos Digitales, participated in the panel “The Importance of Data Protection & Privacy for Consumer Trust”, together with representatives of consumer rights organizations in the European Union and the United States. On the occasion, Canales spoke about the potential risks that free trade agreements such as the Trans-Pacific Partnership Agreement (TPP-11) present for the protection of privacy and personal data at the national level.

## ❖ IGF 2022

The 17th Internet Governance Forum (IGF) took place in Addis Ababa, Ethiopia, from November 28th to December 2nd, 2022.

Derechos Digitales’ co-executive directors Jamila Venturini, and J. Carlos Lara, attended the event, participating in numerous panels and meetings on artificial intelligence, inclusion, and platform regulation, among other topics.

Additionally, Venturini spoke at the opening session, with a speech<sup>13</sup> that highlighted the inequalities that persist in the internet governance ecosystem and the need for proactive actions to ensure the equal participation of all stakeholders in this important matter.

In the current context of fragmentation and segmentation in Internet governance decisions, Derechos Digitales has set itself the mission of reclaiming spaces such as the IGF to influence the construction of a common digital future, cooperating with the international community dedicated to the defense of human rights in the digital environment and democratizing decision-making instances that should be respected through active participation in these forums.

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13 A transcript of the speech is available at <https://www.derechosdigitales.org/19759/discurso-inaugural-de-jamila-venturini-en-igf2022/>

## Press appearances

During 2022, members of Derechos Digitales team appeared in the press more than 60 times as experts on matters relating to technology and human rights. Here are some of their contributions:

**“There have been concerns for a long time on the collection of personal data of people who use reproductive health apps in Latin America”**

Juan Carlos Lara in Reuters — [Analysis: After Roe v. Wade, healthcare data privacy fears grow worldwide](#)

**“Technologies based on exploiting humans as sources of data ignore differences between people and promote standardization as a form of control”**

Jamila Venturini and María Paz Canales in Botpopuli — [A Feminist Lead Towards an Alternative Digital Future for Latin America](#)

**“When governments spend millions of dollars purchasing Pegasus, it affects society as a whole and its democracy”**

Michel de Souza in Cat in the Bag — [Journalists from GatoEncerrado and other media outlets were spied on with Pegasus in El Salvador](#)

**“The main consequence is that users who are part of groups that were historically silenced in the public debate for reasons of gender, race, ethnicity, or sexuality are now more exposed”**

Vladimir Garay in Nucleo — What Twitter under Musk means for the Global South

**“We had in Chile the use of AI software that causes discrimination against marginalized groups. We saw similar situations in Uruguay and Colombia.”**

Jamila Venturini on Teletime — Artificial intelligence needs to avoid racist and discriminatory views, experts say

**“Digital technologies have the potential to address inequalities, but also to exacerbate them”**

Juan Carlos Lara in Unit — Digital rights in smart cities: Towards Digitalization at the Service of Citizenship

**“The weak response from the authorities, as on other occasions, contributes to normalizing the outrage of our personal information, to the point that leaks don’t seem to attract much attention anymore”**

Michelle Bordachar and Vladimir Garay in Ciper — Personal Data Breach: What is private Becomes Public

## Featured Projects

During 2022, Derechos Digitales maintained a portfolio with 23 projects, including ongoing initiatives from the previous year, as well as new additions that are still in development. These are some of the most relevant:

### **Building Institutions and Networks (BUILD)**

**Funder: Ford Foundation**

The Building Institutions and Networks (BUILD) initiative is an institutional strengthening project created by the Ford Foundation to support organizations that work for social justice and strengthen their internal capacities to become more resilient.

Derechos Digitales has been part of BUILD since 2017, which has allowed the organization to continuously develop its internal management capabilities, an essential factor for achieving important goals at an institutional level, which result in improving its programmatic work. For example, this project has allowed the development and improvement of internal policies, the financial strengthening of the organization in terms of budget and external audits, and the reinforcement of its organizational structure, among others.

### **Greater Internet Freedom**

**Financier: USAID vía Internews.**

Since 2020, Derechos Digitales has been part of the Global Internet Freedom (GIF) project, a global program based on the creation of a coalition made up of organizations from different regions of the Global South on the front line of the struggle for an open, interoperable, reliable, and secure internet. The initiative is led by Internews, and as the Latin American representative, Derecho Digitales carries out activities related to security and digital rights in various countries across the region.

Our work within the framework of GIF has allowed us to strengthen alliances to promote the exercise of human rights in digital environments through research, campaigns, facilitation of spaces for training and exchange, and also through partnering with organizations and activists working in countries such as Bolivia, Brazil, Colombia, and Ecuador.



## **Contributing to a Public Interest Copyright Policy at the World Intellectual Property Organization: Promoting Access to Knowledge and the Right to Research**

Financier: Arcadia Fund.

Also known as the “Arcadia Project,” this initiative aims to develop and strengthen a regional alliance to promote access to knowledge by strengthening exceptions to the copyright regime for academic research.

During 2022, Derechos Digitales focused on conducting research to understand the impact of copyright prohibitions on activities related to access to knowledge and academic research, particularly in the context of the global COVID-19 pandemic. In addition, various meetings were held with decision-makers in Chile to try to promote the activation of the emergency mechanisms contemplated in international copyright treaties, considering the global pandemic scenario.

## **Digital Trade Alliance**

Funder: Public Citizen Foundation.

This project aims to raise awareness about the challenges posed by the digital trade agenda and the need for greater transparency, openness, and participation in the formulation of public strategies and policies. Within the framework of this project, Derechos Digitales participates in discussion forums on digital trade, while producing analytical documents and advocacy actions aimed at public policymakers, the general public, and the media.

## **Global AI Advocacy**

Financier: Global Partners Digital.

The goal of this project is to promote a human rights framework for artificial intelligence technologies implementation, by carrying out advocacy actions within national and international debates.

## **Global Network for Digital Resilience Fund**

**Financier: New Venture Fund.**

The Global Network for Social Justice and Digital Resilience project is an initiative that seeks to bring strong technical capacities for digital resilience to a network of organizations dedicated to social justice, especially in the Global South. Along with giving Derechos Digitales the opportunity to have significant participation in the network, the project supports the operation of the Latin American Observatory of Digital Threats (OLAD), facilitates rapid response at the local level in case of digital security emergencies, and facilitates the creation of a scholarship program on digital rights, targeted at people who are part of historically marginalized groups.

## **Strengthening cyber policy research centres in the Global South**

**Funder: The International Development Research Centre (IDRC).**

The project aims to help strengthen the capacity for research and advocacy in public policy, to ensure that policymakers in the Global South can access objective and high-quality research when developing policies related to digital environments. The objective is to promote the formulation of public policies that respect human rights and promote security, innovation and the relationship between all these elements in the Global South. Derechos Digitales was one of the research centers that were part of the network, and between 2019 and 2022, it generated a series of research and advocacy outputs, referring to topics such as artificial intelligence, cybersecurity policies and electronic voting, among others.

## Featured Activities

As part of the several projects developed by Derechos Digitales in 2022, various activities were carried out throughout the year, including research work, production of campaigns, and organization of debates. Here are some of them:

### Contribution to the GISWatch 2021-2022 Report

Global Information Society Watch (GISWatch) is an initiative led by the Association for Progressive Communications (APC) that seeks to collaboratively monitor the implementation of national and international government commitments to create an inclusive information society. GISWatch produces an annual report that compiles views on the state of the information society from a civil society perspective, with an emphasis on the Global South.

Derechos Digitales made two contributions to the 2021-2022 edition of Giswatch, dedicated to analyzing the impact of the transformations experienced due to the global COVID-19 pandemic. The first article is entitled “Another Look at Internet Regulation: Lessons from the COVID-19 Pandemic”,<sup>14</sup> and it was written by Jamila Venturini and J. Carlos Lara. This article analyzes the different shortcomings of the regulatory frameworks related to technology implementation in Latin American countries and the opportunities that emerge for internet governance spaces based on the lessons learned during the pandemic.

The second article was written by Michel Roberto de Souza, Laura Hernández, and Jamila Venturini, and it is titled “Digital Rights and the Pandemic: Learning From Perspectives and Strategies from Latin America.”<sup>15</sup> The text examines the changes in digital rights priorities in Latin America in light of the pandemic and identifies new fields of action and their consequences.

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14 Available at <https://www.giswatch.org/sites/default/files/GISWatch2021-22.pdf>

15 Available at [https://www.giswatch.org/sites/default/files/GISWatch2021-22.pdf#GISW2022\\_noviembre.indd%3A142934%3A12810](https://www.giswatch.org/sites/default/files/GISWatch2021-22.pdf#GISW2022_noviembre.indd%3A142934%3A12810)

## ■ Protection of Personal Data in the Digital Economy in Latin America

The project “Protecting Personal Data in the Digital Economy in Latin America”<sup>16</sup> aimed to develop and apply a set of tools and techniques to audit the use of personal data by the private sector, producing relevant findings that can serve as input for public policy design on personal data protection. In addition, perceptions regarding the use of personal data by the private sector were identified, which allowed the construction of citizen audit tools.

The study included an analysis of different services in Chile, Colombia, Paraguay, Peru, and Uruguay. It was a collaborative effort between different organizations in the region, including Fundación Karisma, Hiperderecho, Tedic, and Derechos Digitales, coordinated by ObservaTIC. Derechos Digitales oversaw the research in Chile, referring to digital banking and its implications for vulnerable groups, and a study on the migrant population.

## ■ Profiling and tracking practices by data brokers and advertising technology companies

As part of a project coordinated by Privacy International, Derechos Digitales conducted research to determine the personal data collected and shared by five popular health and fitness apps. A comparative exercise was carried out between the behavior of the apps in Chile and Ecuador, to identify significant differences regarding different regulatory models and their effectiveness in protecting people’s data. The results of this research will be presented during the second quarter of 2023.

## Who Defends Your Data? Chile 2022

- In 2022, Derechos Digitales presented the fifth edition of “Who Defends Your Data? Chile”,<sup>17</sup> a study on the practices of internet service provider companies concerning the protection of their clients’ data, especially in the face of possible abuses by state authorities, but also regarding the personal data processing practices of the companies themselves.

<sup>16</sup> Más detalles del proyecto disponibles en <https://observatic.edu.uy/2021/11/24/protecting-personal-data-in-the-digital-economy-in-latin-america/>

<sup>17</sup> Disponible en <https://www.derechosdigitales.org/wp-content/uploads/QDTD-2022.pdf>

The report is based on the Electronic Frontier Foundation's *Who Has your Back?* project. (EFF), adapting the methodology to the Chilean reality, from the legal, market, and environmental points of view.

The study analyses the practices of the country's largest telecommunications service providers: Claro, Entel, GTD Manquehue, Movistar, VTR, and WOM.

In its fifth edition, the main themes of the analysis were the commitments of each company to respect and protect the rights of their users, as reflected in their privacy policies and contractual clauses; the provision of updated transparency reports to the general public; notification to customers when authorities request access to their personal information; provision of a public guide for the management of user data; and the defense of privacy and protection of user data, in judicial or administrative proceedings or in the context of a legislative discussion in Congress.

## PubliElectoral

PubliElectoral is a technological tool of social interest that allows the collection of information related to electoral advertising on Facebook. It was developed by the Association for Civil Rights (ADC, an acronym in Spanish) and it was used for the first time in the last presidential election in Argentina. Over the last three years, Derechos Digitales has applied the methodology developed by ADC to different electoral processes in Chile.

The goal of this research is to better understand the role that social networks play in the deployment of electoral campaigns and to identify potential shortcomings that may exist in current regulations, in order to provide public policy recommendations to the authorities.

In 2022, together with presenting the results of the study carried out in 2021 on the November-December presidential election,<sup>18</sup> a new study was carried out on the Constitutional Plebiscite held on September 4th, which will be presented during the second quarter of 2023.

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<sup>18</sup> Available at [https://www.derechosdigitales.org/wp-content/uploads/2022\\_InformePubliElectoral-Chile-v2-1.pdf](https://www.derechosdigitales.org/wp-content/uploads/2022_InformePubliElectoral-Chile-v2-1.pdf)

## Feminist Artificial Intelligence

During 2022, Derechos Digitales developed the initiative “Towards a feminist framework for the development of AI: from principles to practice”, a research project that explores the possibilities for the development of Artificial Intelligence that can be at the service of the integral development of communities.

This is one of the projects selected by the Incubating Feminist AI Call, coordinated by the A+ Alliance for Inclusive Algorithms and funded by IDRC, which also involves the creation of the Feminist Network for Artificial Intelligence Research (fA+i>r), of which Derechos Digitales is now a part.

Based on an interpretive analysis of the experiences of seven women working in an AI or data field science in our region, Derechos Digitales developed a guide<sup>19</sup> with the purpose of outlining alternative development proposals for Artificial Intelligence, from a feminist and Latin American perspective.

Once the first version of the guide was completed, Derechos Digitales has continued working on a new version that will be presented in 2023, for which a series of knowledge exchange meetings have been held, based on the experience of other projects that are part of the network.

## Regional and global advocacy workshop on digital rights

Between December 2021 and January 2022, a Regional and Global Digital Rights Advocacy Workshop was held, an activity developed within the framework of the Global Internet Freedom Project (GIF).

The workshop brought together civil society collaborators from Latin American countries such as Argentina, Brazil, Bolivia, Colombia, Ecuador, Nicaragua, Peru, and Venezuela. In addition, members of the organizations gathered in the AI Sur Consortium were invited to participate as experts in the different subjects discussed in the workshop.

The different sessions of the workshop were intended to review the multiple possibilities of influencing discussions on digital rights, from a regional and global perspective, including an identification of advocacy networks, the functioning of the Inter-American Human Rights System, and a mapping of global advocacy spaces. These sessions were accompanied by recommendations and experiences shared by those who regularly participate in these spaces.

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<sup>19</sup> Available at [https://www.derechosdigitales.org/wp-content/uploads/Fair\\_Doc\\_Esp.pdf](https://www.derechosdigitales.org/wp-content/uploads/Fair_Doc_Esp.pdf)

## ■ Budapest Convention on Cybercrime in Latin America: A Brief Analysis of Accession and Implementation in Argentina, Brazil, Chile, Colombia, and Mexico

In 2022, we published an analysis comparing the adherence to and the implementation of the Budapest Convention on Cybercrime by five Latin American countries. This convention is, to date, one of the main binding international treaties in criminal matters and was drawn up to intensify international cooperation through the application of a common criminal policy to protect citizens from cybercrime. However, various points about the treaty have been criticized, which are related to the criminalization of legitimate conduct, investigative standards, the production of electronic evidence, and the means of international cooperation, such as extradition and mutual legal assistance.

The analysis was based on a bibliographic review of relevant materials produced in the region and semi-structured interviews with representatives of civil society organizations that are part of the Al Sur consortium in Argentina, Brazil, Chile, Colombia, and Mexico. The review found that the implementation and discussion of the accession processes in the countries analyzed share aspects such as the lack of substantive participation of interested parties, the speed in the discussion of laws and decrees promulgated without transparency and in a hurry, and the use of the process of adaptation to the Budapest Convention to promote comprehensive reforms of current legislation, hurting the rights of citizens to privacy, data protection and law due process, among others.

Considering this scenario, the publication makes some recommendations to the states, including guaranteeing full respect for fundamental rights, opening the debate around the convention to all interested parties, avoiding literal copying of the criminal offenses addressed in the convention, and exploring alternatives to punitive measures as the only way forward.

The publication is available in spanish,<sup>20</sup> english<sup>21</sup> and portuguese.<sup>22</sup>

<sup>20</sup> Available at <https://www.derechosdigitales.org/wp-content/uploads/ESP-Ciberdelincuencia-2022.pdf>

<sup>21</sup> Available at <https://www.derechosdigitales.org/wp-content/uploads/ENG-Ciberdelincuencia-2022.pdf>

<sup>22</sup> Available at <https://www.derechosdigitales.org/wp-content/uploads/PT-Ciberdelincuencia-2022.pdf>

## LACIGF 15

The 15th edition of the Latin American and Caribbean Internet Governance Forum (LACIGF) was held between October 24th and 26th. This edition of the forum was held online and the logistics coordination was in the hands of Derechos Digitales, a member of the Program Committee.

The LACIGF sessions were defined by a regional public consultation, which selected the most relevant topics for Latin America from among those identified by the United Nations Secretary-General in the Global Digital Compact. During the forum, experiences, and perspectives on internet governance in the region in the post-pandemic context were discussed.

One of the central topics on the LACIGF agenda was to move towards a cybersecurity understanding as a concept that includes rights such as access to information, freedom of expression, and privacy. In regulatory matters, issues related to hate speech and disinformation in the region, data and human rights protection in digital environments were addressed. In addition, progress and challenges regarding overcoming access gaps were discussed, with panelists highlighting the fundamental role of digital literacy in achieving effective universal connectivity.

The event also featured a day zero, with activities led by Youth LACIGF and the coalition of regional and national IGFs (NRIs).

## Human Rights, Social Justice and Technologies

Between June 28th and 30th, Derechos Digitales held the second edition of the regional event “Human Rights, Social Justice and Technologies”, which for three days brought together prominent figures from academia, civil society, and activism in Latin America in the fields of human rights and technology.

The event combined open and public sessions with semi-closed discussion groups. The event held debates on topics such as: overcoming gaps and inequalities, the advancement of facial recognition in the region, advocacy in regional and global forums, violence against communicators, journalists, and activists, political polarization, and the role of the internet in all this, as well as the impact of technology on education, union activity, health, and the environment, among others.

The recordings of the open sessions are available in spanish<sup>23</sup> and portuguese.<sup>24</sup>

<sup>23</sup> Available at [https://youtube.com/playlist?list=PL7tFiuTG0nupWH\\_GVq5WmJPTrzNsks0DG](https://youtube.com/playlist?list=PL7tFiuTG0nupWH_GVq5WmJPTrzNsks0DG)

<sup>24</sup> Available at <https://youtube.com/playlist?list=PL7tFiuTG0nurEily-VgLcDJm6xNa6W63s>



## ■ Electronic Voting in Latin America

During the first quarter of 2022, Derechos Digitales prepared a series of introductory materials on electronic voting and the potential problems that arise from its implementation.

The publication entitled “Electronic Voting and Public Policy Considerations in Latin America”<sup>25</sup> reviews the state of electronic voting worldwide, with special emphasis on Latin America, questioning the contexts in which its implementation could be feasible, its potential benefits, and also its risks.

Also, the infographic “An introduction to electronic voting”<sup>26</sup> explains the basic concepts associated with this technology and carries out a detailed review of the main problems that its implementation entails.

## ■ Universal Periodic Review: Ecuador and Brazil

In 2022, the 41st session of the Universal Periodic Review (UPR) took place, a review of the human rights record of United Nations Member States, which this year analyzed two Latin American countries: Ecuador and Brazil. Derechos Digitales participated in the drafting of three reports, published at the end of March, on different aspects related to the exercise of fundamental rights concerning technology.

In the case of Ecuador, in a report<sup>27</sup> prepared in cooperation with the Association for Progressive Communications (APC), we highlighted that the Ecuadorian State has limited rights such as living a life free of violence, freedom of expression and opinion, security for computer experts, privacy and access to economic and social rights through policies and practices related to the digital environment.

Meanwhile, with APC, Artigo 19, and Intervozes, we presented a report<sup>28</sup> about Brazil, in which we recommended aspects such as the guarantee of universal access to the internet in order to exercise freedom of expression and association; access to information, knowledge and culture; and the exercise of economic and social rights in a safe manner, respect of privacy and autonomy and free of any form of discrimination. We also collaborated with Privacy International in the preparation of a report<sup>29</sup> on the use of technologies for educational purposes in Brazil, and its potential consequences for the exercise of rights.

25 Available at <https://www.derechosdigitales.org/wp-content/uploads/VotoElectronico-mapalatino.pdf>

26 Available at <https://www.derechosdigitales.org/wp-content/uploads/infografiavotoelectronico-2.png>

27 Available at <https://www.derechosdigitales.org/wp-content/uploads/Final-DD-APC-UPR-Ecuador-2022.pdf>

28 Available at [https://www.derechosdigitales.org/wp-content/uploads/UPR\\_Brazil-SP-logoPT.pdf](https://www.derechosdigitales.org/wp-content/uploads/UPR_Brazil-SP-logoPT.pdf)

29 Available at <https://www.derechosdigitales.org/wp-content/uploads/PT-UPR-41a-Session-Brasil-updated.pdf>

Moreover, we carried out a campaign on social media, with the dual purpose of publicizing the recommendations, and drawing attention to the UPR as a valuable opportunity for promoting human rights in digital environments.

Furthermore, we responded to a public consultation by the Inter-American Court of Human Rights (IACHR) and the Office of the Special Rapporteur for Freedom of Expression (RELE) in which we emphasized the advantages of working with other civil society actors to measure the impact of digital technologies on the exercise and promotion of human rights in States subject to the UPR.

## Artificial Intelligence and Inclusion in Latin America

In 2022, Derechos Digitales continued the work it had initiated a year earlier with “Artificial Intelligence and Inclusion in Latin America”, a project developed within the framework of the Cyber Policy Research Centers network, with the support of the International Development Research Centre (IDRC). During 2022, various advocacy efforts were carried out, including participation in different forums and instances of public policy discussion, the development of research, and the production of consultation materials, among others.

Between February and March, we held “Artificial Intelligence and Human Rights in Public Policies: Beyond Privacy”,<sup>30</sup> a course designed and coordinated by Derechos Digitales in partnership with the Center for Studies in Technology and Society (CETyS) of the University of San Andrés (Argentina), to strengthen the capacities of the public sector in the use of automated decision-making systems and artificial intelligence. The course featured a top-level teaching staff, including Virgilio Almeida, Marlena Wisniak, Edson Prestes, Daniel Castano, Maia Levy Daniel, Javier Barreiro, Cristina Pombo, Danielle Zaror Miralles, Michel de Souza Santos, and Jamila Venturini. The call for applications, made in December 2021, received nearly 100 applications from people in 15 countries in the region, for only 25 available spots, reaffirming the existing demand for capacity building regarding AI in the public sector.

We also held the course “AI Regulation for Civil Society and Decision Makers” together with Data Privacy Brazil, which brought together more than 40 decision-makers and members of the civil society to learn the main concepts associated with Artificial Intelligence, encouraging an informed and meaningful debate.

Throughout the year we published different analysis and consultation materials. “Artificial Intelligence and Participation in Latin America: National AI Strategies” is a review of the possibilities that society has to get involved (or not) in the processes that shaped the different public policies on Artificial Intelligence in the region (this

30 Class available at <https://ia.derechosdigitales.org/recursos/#curso>

publication is available in spanish<sup>31</sup> english<sup>32</sup> y portuguese).<sup>33</sup> We also published two new case studies: the first, on the “Emergency Aid” program, implemented in Brazil with the aim of reducing the economic and social effects of the COVID-19 pandemic on the most vulnerable populations; the second, on the “Urban Crime Predictive System”, developed by the Center for Analysis and Modeling in Security (CEAMOS) at the University of Chile together with Carabineros, and implemented in 58 police stations across the country, with the aim of efficiently directing preventive police patrols, defining areas of higher surveillance and control.

Additionally, we published “Useful tools for decision-making on AI implementation,” a kit of short publications with tips and recommendations that includes a glossary of key concepts; a list of recommendations to ensure active, representative and effective participation; a list of notable initiatives in the development and implementation of public policies that incorporate AI; a list of key questions to consider in the implementation of public policies that include AI; and a recommendations of what to read.

We also participated in various discussion forums on the implementation of artificial intelligence technologies within the framework of public policies. In Brazil, Derechos Digitales has followed the discussion around the “Legal Framework for Artificial Intelligence”, a bill that seeks to establish the bases, principles and guidelines for the development and application of artificial intelligence in the country, led by a Commission of Jurists created by the Federal Senate, to make a new proposal of the projects initially approved, after criticism from civil society. Derechos Digitales participated in a public hearing focused on the risks of AI and in a seminar organized by the Commission of Jurists in charge of preparing the replacement project, also presenting a contribution<sup>34</sup> to the committee with substantive recommendations to the text.

In addition, we participated in various public forums dedicated to analyzing the impact of artificial intelligence on human rights, including the third edition of the Global Partnership on Artificial Intelligence (GPAI) Summit.

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31 Available at <https://www.derechosdigitales.org/wp-content/uploads/IA-Participacion-ES-2022.pdf>

32 Available at <https://www.derechosdigitales.org/wp-content/uploads/IA-Participacion-EN-2022.pdf>

33 Available at <https://www.derechosdigitales.org/wp-content/uploads/IA-Participacion-PT-2022.pdf>

34 Available at [https://www.derechosdigitales.org/wp-content/uploads/Contribucion\\_Brasil\\_-IA.pdf](https://www.derechosdigitales.org/wp-content/uploads/Contribucion_Brasil_-IA.pdf)

## ■ Constitutional Process in Chile

During 2021 and 2022, Derechos Digitales actively participated in the discussion process and drafting of a new Constitution, advocating for the inclusion of aspects related to technologies and human rights. To this end, various advocacy actions were carried out, including presentations to the Convention members, the production of working papers, articles published in the press, and periodic contact with the constitutional delegates.

We also published “Fundamental Rights in the New Constitution for the Digital Age: Citizen’ Perceptions”,<sup>35</sup> a study that describes the main expectations and concerns of citizens regarding the exercise of rights in digital environments, within the framework of the constitutional process in Chile. This research was the product of a series of small focus groups developed last year, which informed Derechos Digitales’ position during the constitutional process.

## ■ Training in Digital Security Methodologies for Social Organizations

As part of the GIF project, Derechos Digitales has developed and facilitated a series of workshops on digital security issues for civil society organizations. A second cohort of Safetag training was held in 2022 for ten organizations and ten independent activists from different countries in Central America, Brazil, and Ecuador. Safetag is a methodology for conducting digital security audits for civil society organizations so that they can learn about the risk factors associated with their activities and who their potential adversaries are, so that they can take preventive actions and improve their digital security. The workshops were held in cooperation with Internews and were facilitated by its technical advisor, Carlos Guerra.

Through the GIF project, Derechos Digitales also supported digital security audits in four Latin American countries in 2022, seeking to strengthen the resilience of the participating organizations.

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35 Available at <https://www.derechosdigitales.org/wp-content/uploads/nuevaconstitucion-2022-1.pdf>

## Rapid Response Fund for the Protection of Digital Rights in Latin America (RRF)

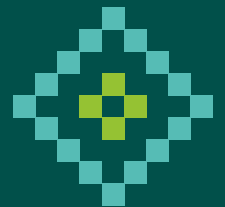
The Rapid Response Fund (RRF) is a Digital Rights initiative that provides support to Latin American activists and civil society organizations so that they can respond to emergencies that threaten the exercise of human rights in digital environments in the region.

The FRR supports activities of a different nature aimed at providing an adequate response to urgent situations in the region related to public policies and the internet, as well as the protection of digital rights. This includes, but is not limited to: public campaigns and dissemination activities, applied research, urgent digital security actions and strategic litigation, linked to one or more of the following topics: freedom of expression, privacy, gender, surveillance, digital security, cybersecurity, human rights and business, human rights in general in connection with the use of technology, assistance and rescue of people at risk in qualified cases.

During 2022, the Rapid Response Fund awarded funds totaling **USD 165.950,00** to **21 civil society organizations** from **12 Latin American countries**.



# III. Finance and institutional aspects



## Institutional development

During 2022, Derechos Digitales continued to make significant efforts in developing internal capacities, in order to become a more robust and resilient organization.

The first aspect to highlight is the **growth of the stable team**, which is currently composed mostly of people residing in Latin American countries other than Chile, expanding the regional presence of the organization.

During June, Derechos Digitales held a new edition of its **institutional retreat in Santiago de Chile**. This was the first time the entire team met in person, after two years of pandemic that made it impossible. Similarly, in November, the organization hosted a series of parallel meetings that brought together **the most relevant actors in the digital rights ecosystem in the region, including the Ford Foundation beneficiaries' network, member organizations of the Latin American Observatory of Digital Threats, and the committee of the Rapid Response Fund managed by Derechos Digitales**. A significant challenge involved the difficulty of incorporating into the planning the precautions required due to COVID-19 and the complexities of incorporating a series of precautions derived from the global pandemic, which were nevertheless successfully overcome.

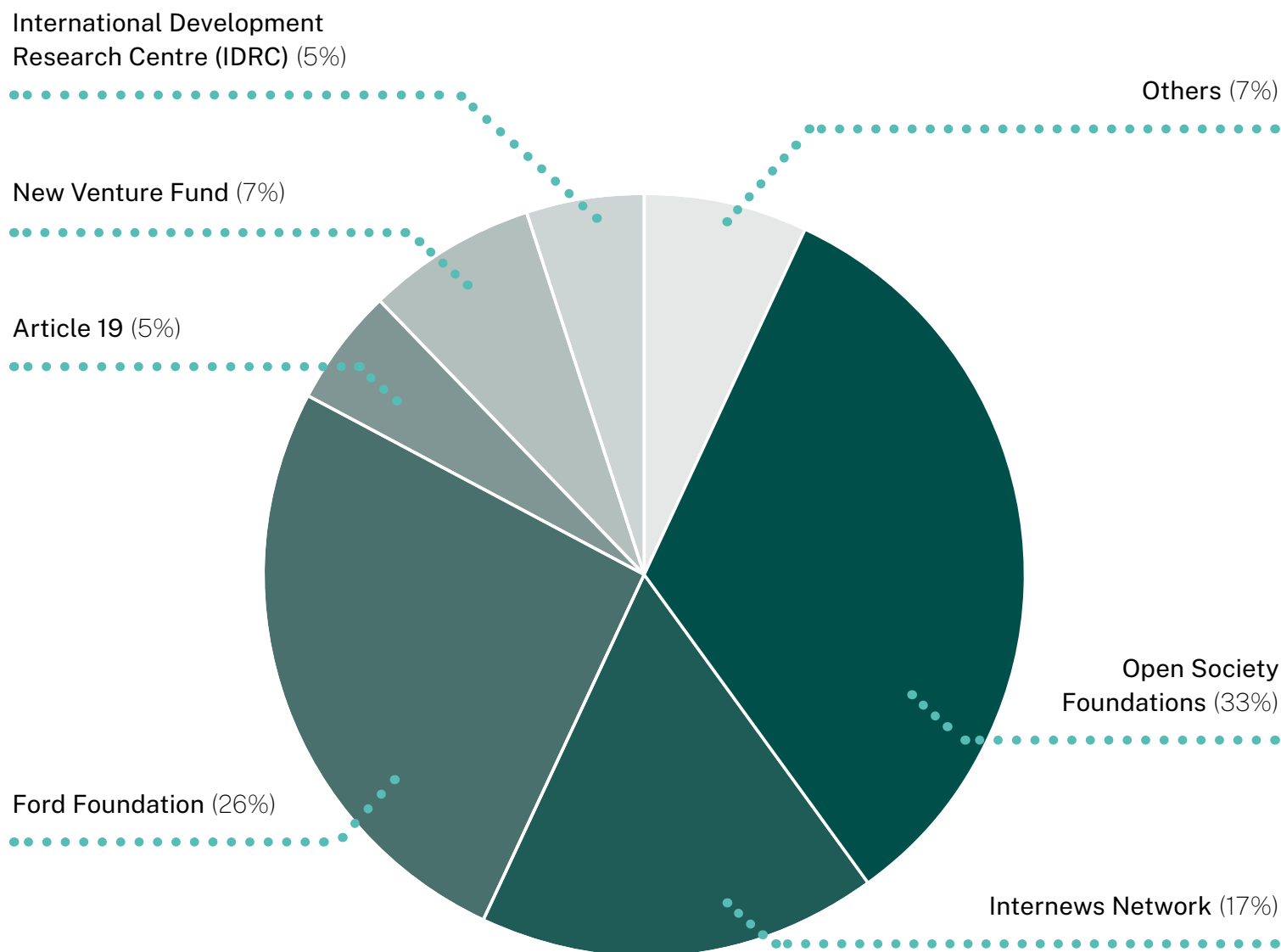
In 2022, the organization's project portfolio included **more than 20 projects in progress**, which has begun to incorporate general financing not associated with the development of specific products. In addition, **a new external audit process was completed during the year with positive results**. This is the third consecutive year that the organization has successfully undergone this evaluation process, which reflects the strengths that Derechos Digitales has been able to develop, not only in the substantive work in defense of human rights, but also in its impeccable administrative and financial management.

Finally, it is important to highlight the creation of **DD Quarterly**,<sup>36</sup> a quarterly **institutional newsletter**, which seeks to open a communication channel to inform more efficiently about the work carried out by the organization, as well as important issues in terms of institutional development.

36 El boletín puede revisarse en <https://us4.campaign-archive.com/home/?u=3534bbf5090c82267e125812f&id=a1d15cd6f4>

## Financial Information

During 2022, Derechos Digitales' income reached **USD 1.511.750,00** thanks to the contribution of the following donors:







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