Derechos Digitales

Report 2020-2021

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About Derechos Digitales

Derechos Digitales is an independent, non-profit Latin American organization, founded in 2005 with the fundamental objective of develope, defense and promote human rights in the digital environment.

Our vision is to contribute to a more just, inclusive, and egalitarian Latin American society, in which Digital Rights participates, directly and in coordination with other organizations, defending human rights in the digital environment so that technologies are at the service of the comprehensive development of people.

The mission of Derechos Digitales is the defense, promotion, and development of human rights in the digital environment in Latin America, through the study, dissemination of information, and advocacy on public policies and private practices, to promote social change around respect and dignity of people.

Our Team

During 2020 were part of the Derechos Digitales team:

María Paz Canales, María Paz Canales, Alexandra Argüelles, Camila Lobato, Carlos Guerra, Constanza Figueroa, Ignacio Espinosa, Jamila Venturini, Juan Carlos Lara, Juliana Guerra, Laura Hernández, Marianne Díaz, Michelle Bordachar, Miguel Flores, Pablo Viollier, Patricio Velasco, Paula Jaramillo, Rocío Contreras, Rocío López y Vladimir Garay.

In 2020, the **Board of Directors** of Derechos Digitales was composed of:

Flavio Tapia, President Paula Jaramillo, Vice President Daniel Álvarez, Director Roberto Cerda, Treasurer Claudio Ruiz, Secretary And the Derechos Digitales

Advisory Board was

composed of:

Valeria Betancourt
Arturo Carrillo
Miguel Pulido
Carolina Rossini

During 2021 were part of the Derechos Digitales team:

María Paz Canales, Camila Lobato, Constanza Figueroa, Débora Calderón, Jamila Venturini, Juan Carlos Lara, Juliana Guerra, Laura Hernández, Marianne Díaz, Michel de Souza, Michelle Bordachar, Miguel Flores, Patricio Velasco, Paula Jaramillo, Rafael Bonifaz, Rocío Contreras, Rocío López, Sebastián Oliva, Victoria Verrastro y Vladimir Garay.

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composed of:

Catalina Botero
Valeria Betancourt
Arturo Carrillo
Miguel Pulido
Carolina Rossini

Our International Networks

During 2020 and 2021, Derechos Digitales was part of the following **international networks**:







Association for Progressive Communications Consorcio AlSur

Comité de programa de LACIGF







Freedom Online Coalition Advisory Network Global Encryption Coalition

Global Network Initiative



Global Network of Internet

and Society Research Centers





A

IDRC Cyber Policy Centres

Internet & Jurisdiction Policy Network





International Freedom of Expression Exchange IGF Multistakeholder Advisory Group

Our work

The work of Derechos Digitales focuses on three main areas:

1. Sustainable and inclusive technologies for social justice

This area covers the role of technologies in the exercise of civil and political rights, and economic, social and cultural rights, from the collective to the individual, in the search for social justice, and includes everything related to the impact of technology on structural problems of exclusion and inequality, especially against non-hegemonic groups, such as women, sexual and bodily dissidence, the descendants of indigenous peoples, Afro-descendant groups, people with disabilities, and many others.

Our work in this area addresses issues such as the use of automated decision-making systems, gender-based violence, the impact of digitalization on discrimination of vulnerable groups, gaps in accessibility of content and services, the development of local economies and infrastructures (community networks, feminist infrastructures, etc.), the role of technologies in the right to work and education, digital business models, the negotiation of international trade agreements and their impact on the exercise of rights ("digital trade").

2. Autonomy, dignity, and control in the use of technologies

This area includes the way in which state and private practices, in relation to technology, affect people's autonomy and self-determination, as well as the exercise of fundamental rights, such as freedom of expression, privacy, the right to peaceful assembly, and access to knowledge and information, among others. It also considers the cumulative effects that the violation of these rights has on democratic societies.

Examples of work in this area include personal data protection, surveillance, digital identity, biometrics, cybersecurity, digital security, information disorder, targeted election advertising, hate speech on the internet, net neutrality, internet copyright, competition issues due to data market concentration, and access to infrastructure (submarine cables and spectrum access), among others.

3. Technology policies from Latin America

It covers the work that Derechos Digitales carries out in favor of the strengthening and representation of Latin American experiences and perspectives in the design of public and private policies that impact the development and use of technologies in the region. Similarly, it reports the efforts of Derechos Digitales to strengthen the regional human rights system, Internet governance instances and local capacities in terms of technology policies in line with the protection of human rights.

It also includes the participation of Derechos Digitales in global forums and in local, regional, and global Internet governance bodies, and the tools and resources that the organization develops and makes available to the community in order to strengthen its capacity for action.

Highlighted Projects in 2020

These were some of the projects we developed during 2020:

_Care during the pandemic

Undoubtedly, the COVID-19 global pandemic was the most relevant event of 2020, transforming our lives completely, and from which we could not remain indifferent.

During 2020, Derechos Digitales —through its executive director, María Paz Canales— continued its participation in the multidisciplinary advisory group formed by the World Health Organization, which brings together technologists, lawyers, health professionals, scientists and ethics specialists to discuss the ethical, legal and social challenges that accompany the promises of the application of new technologies to the health field.

The first product generated by the advisory group is the guide "Ethical considerations to guide the use of digital proximity tracking technologies for COVID-19 contact tracing", published in 2020 with the objective of guiding the development and implementation of contagion tracing technologies, in the midst of the global pandemic of coronavirus disease. The group then began working on a series of recommendations regarding the implementation of digital vaccination health passports, which have already started to be implemented in Europe and may be expanded to other regions of the world.

"Ethical considerations to guide the use of digital proximity tracking technologies for COVID-19 contact tracing" is available at https://www.who.int/publications/i/item/WHO-2019-nCoV-Ethics_Contact_tracing_apps-2020.1.

For a large part of the world's population, the pandemic meant that such normal matters as leaving home in the morning to go to work or school, visit family or share with friends were no longer part of everyday life. The strict confinement measures — forced or self-imposed— required to avoid contagion and the spread of the virus, forced people to look for other ways of maintaining contact, which resulted in an explosive increase in video calls.

With the intention of helping people to choose the most suitable platform according to their needs, we developed "Así que necesitas hacer una videollamada" (So you need to make a video call) a guide that explains the features, pros and cons of different commonly used video calling software. The guide is available at

https://derechosdigitales.org/videollamada/

In addition, we published "Recomendaciones de seguridad en redes caseras de cara al teletrabajo" (Home network security recommendations for teleworking), a basic guide to secure domestic networks, thinking of those people who handle sensitive information, want greater security in their communications and have been faced with the need to work remotely as a result of the health crisis.

The guide focuses primarily on router protection, wireless network security and network-connected devices. The publication is available at https://derechosdigitales.org/wp-content/uploads/Recomendaciones-de-seguridad-en-Redes- caseras-de-cara-al-teletrabajo.pdf

Also, we collaborated with Florencia Goldsman of Ciberfeministas Guatemala and Graciela Natansohn of Grupo GIG@ in the publication of "Cuidados durante la pandemia: ¿cómo denunciar la violencia doméstica?", a translation and adaptation of "Cuidados durante a pandemia: como denunciar uma violência doméstica?", produced by MariaLab in collaboration with Mapa do Acolhimento and Frontline Defenders.

This publication compiles recommendations for women who encounter domestic violence during this period of uncertainty and confinement so that they can ask for help. The guide can be accessed at https://derechosdigitales.org/wp-content/uploads/covid-violencia-domestica.pdf

In the same vein, Derechos Digitales made a contribution to the United Nations Special Rapporteur on violence against women, its causes and consequences on the increase of domestic violence against women in Latin America in the context of pandemic, from a digital rights perspective.

The contribution is based on a survey with Latin American feminist and digital rights organizations to gain a better understanding of the situation in different Latin American countries. The document can be reviewed at https://www.derechosdigitales.org/wp-content/uploads/dd-violenciadegenero-covid.pdf

In addition, as part of the Al Sur network, we participated in the construction of the Al Sur Observatory of Surveillance Technologies and Pandemics, a project that seeks to analyze and systematize governmental actions (including public-private partnerships) related to the implementation of surveillance technologies and data collection.

The objective of the observatory is to share information among organizations to better understand how this pandemic could shape the future local and regional landscape on the uses of personal data and surveillance technologies. This, in turn, enables the development of joint actions to promote and encourage respect for fundamental rights in the implementation of digital technology. The observatory was launched in 2021 and is available at https://covid.alsur.lat/

_Cyber Policy Centres - International Development Research Center

In 2019, Derechos Digitales began the implementation of the project for which it was chosen by IDRC as Cyber Policy Centre, which aims to conduct research regarding the use of digital technologies in Latin America and its implications for human rights, cybersecurity, and innovation.

During 2020, the work focused mainly on "Artificial Intelligence and Inclusion", which takes as its starting point the rapid progress in the implementation of artificial intelligence technologies and the legitimate concerns regarding their negative consequences, related to potential human rights violations and, particularly, the increase in discrimination against historically vulnerable groups.

Given the potentially irreparable consequences of implementing artificial intelligence techniques without consideration of fundamental rights, it is necessary to analyze the initiatives and policies that are being developed, identifying areas for improvement considering international principles and good practices. With this objective, during 2020 we developed four case studies about different implementations of artificial intelligence in four Latin American countries: Brazil, Colombia, Chile and Uruguay.

In Brazil we research the use of artificial intelligence in the National Employment System, in order to facilitate the relocation of unemployed professionals in the labor market. In Chile, we investigated Sistema Alerta Niñez (Child Alert System), which seeks to estimate and predict the level of risk of children and adolescents of suffering some violation of their rights in the future. In Colombia, we reviewed PretorIA, a project of the Constitutional Court that seeks to make the process of selecting cases for judicial protection of fundamental rights more efficient. In Uruguay we analyzed Coronavirus UY, a free mobile application.

The case studies were developed in collaboration with investigation centers, human rights organizations and researchers: Dejusticia (Colombia), MediaLab.UFRJ and Red LAVITS (Brasil), Dina Yael (Uruguay) and Matías Valderrama (Chile). Through the parallel work of researchers in the four countries, the idea was to provide an overview of the context and implementation of algorithmic systems of algorithmic decision-making.

Each case includes an explanation of the national context in which the implementation of the artificial intelligence system is framed, the regulatory and institutional context of the implementation, the data infrastructure involved, the decision-making process associated with the implementation and the technological design of the system used.

_Rapid Response Fund for the Protection of Digital Rights in Latin America

In an increasingly complex and hostile context for human rights defenders, and of setbacks in digital rights, the Rapid Response Fund for the Protection of Digital Rights in Latin America (RRF) emerges as an alternative to respond in an agile way to the needs of activists in the region.

Through the allocation of small amounts of money - ranging from US\$5,000 to US\$8,000 - the RRF supports the implementation of activities of different nature that contribute to the development of a free and open digital ecosystem in the region, including public campaigns and dissemination activities, applied research, urgent digital security actions and strategic litigation.

The RRF began receiving proposals in July 2019 and in December 2020 we published our first report. During those first 18 months of operation the fund support 36 projects in 13 countries in the region, and 118 organizations and independent activists registered to apply; 108 proposals were evaluated, with an approval rate of close to 33%. By that date, the fund had contributed close to US\$250,000 to projects that contribute to the development of a free and open digital ecosystem in the region.

In addition, in 2020 the beneficiaries and former beneficiaries of the fund participated in a series of online workshops focused on the development of secure communications (messaging, calls and video conferences), protection of computers and mobile devices.

The 2020 report can be consulted at https://www.derechosdigitales.org/wp-content/uploads/frr-brochure-cast.pdf

_CYRILLA y RedLatam

RedLatam was a project originally conceived as a joint effort between Derechos Digitales and Access Now, as a response to the information gap that exists in our continent on the intersection between human rights and technology, from the normative point of view.

After several years of inactivity, during 2020 Derechos Digitales dedicated significant efforts to reinvigorate the project, updating the database and redesigning the website, this time hand in hand with the Cyrilla project, an initiative that aims to build an open database of digital rights laws from around the world.

In addition to updating the database, as part of our work with Cyrilla we produced two publications: "Trends related to regulatory developments in privacy and the internet in Latin America" and "Regulatory issues in matters of freedom of expression and internet in Latin America"; in both cases, it is a comprehensive review of the most relevant milestones occurred between the decade of 2010–2020, which included the entry into force of new legislation and key cases of jurisprudence in Latin America, on issues such as privacy, including surveillance and protection of personal data, and freedom of expression, including net neutrality, censorship and current discussions about online platforms.

Linking Policy and Advocacy with Practical Action at the International and National levels to Protect Internet Freedom (DRL)

With the support of Article 19, we sought to promote diverse participation by the Latin American community in technical governance spaces, specifically in the design and implementation of Internet protocols.

This involved the development of technical capacities among organizations working at the intersection between human rights and digital technologies; advocacy on issues of social justice within the technical communities involved in these processes. In particular, we seek to raise awareness among our audiences about the relevance of influencing the design of technologies under standards that guarantee the full enjoyment of rights for the citizenship.

Regarding the Covid-19 pandemic, together with colleagues from the global south, we published a document aimed at users that describes the standards and protocols involved in the technology that makes video calls and videoconferences possible. In addition, we conducted a workshop with feminist activists from Latin America on technical aspects of internet censorship, with an emphasis on sexual and reproductive rights.

The document can be consulted in English at https://www.derechosdigitales.org/wp-content/uploads/webrtc_en.pdf

_Privacy, gender and social protection

"Identity systems and social protection in Venezuela and Bolivia. Gender impacts and other inequalities" is a research conducted by Derechos Digitales and published in 2020, composed of two case studies on how state surveillance practices impact the exercise of economic, social and cultural rights by groups that have been historically marginalized in Latin America.

The publication, available in **English** and **Spanish**, is the result of a project developed with the support of Privacy International that had the purpose of exploring the intersection between privacy, surveillance and gender and denounces the growing implementation of technological systems to control access to social protection programs in Latin America, as well as the risks involved.

In the case of Venezuela, the research seeks to document the ways in which the surveillance and control systems implemented in Venezuela through the biometric food security system have specifically affected women and the LGBTIQ+ population, in particular transgender people, not only with respect to the rights to identity and data privacy, but also in relation to the rights of access to food and health, the right to integrity and dignity, and the right to freedom of movement.

In the case of Bolivia, the objective was to document government processes related to the collection and use of data, as well as the possible exchange with financial systems and other private entities, in the context of the Bolivian response to the Covid-19 crisis and, from there, to raise issues and concerns related to surveillance and discrimination, particularly against historically marginalized groups, in accessing social and economic rights in the context of the emergency.

The spanish version of the report is available at https://www.derechosdigitales.org/wp-content/uploads/sistemas-de-ldentificacion_ES.pdf

The english version of the report is available at https://www.derechosdigitales.org/wp-content/uploads/identity-systems_ENG.pdf

_PubliElectoral — Chile 2020

PubliElectoral is a technological tool of social interest that allows the collection of information related to electoral advertising in social networks, developed by the Asociación por los Derechos Civiles (ADC) and used for the first time in the last presidential election in Argentina.

In 2020, Derechos Digitales and ADC decided to apply the tool and its methodology during the plebiscite held in Chile on October 25; our research focused on the use of Facebook by the different political forces during the political campaign, in light of the current regulations.

The results of the study were recorded in a report published in May 2021 and the methodology was also applied to the presidential election on November 21, 2021.

The report is available here:

https://www.derechosdigitales.org/wp-content/uploads/ADC_Informe_ PubliElectoral_Plebiscito_Chile_FINAL.pdf

_#TwitterSaludable

#TwitterSaludable was a campaign composed of a set of animations, produced to be shared on Twitter, with recommendations to encourage a safe, diverse, and non-violent digital environment. The campaign provides practical advice concerning digital safety, information disorders and hate speeches, and wellbeing and mental health.

Along with this, a series of Twitter-conversations were organized, dialogues developed on Twitter where we shared with expert organizations on these issues, who provided recommendations and advice, shared their vision regarding those aspects that the platform could improve, to ensure a safer environment for its users.

The campaign was one of the products that achieved the highest number of interactions on our social networks.

Highlighted Projects in 2021

These were some of the projects we developed during 2021:

_Artificial intelligence and inclusion in Latin America

The rapid advancement of artificial intelligence technologies has raised legitimate concerns about their negative consequences in terms of potential human rights violations, and increased discrimination against historically vulnerable groups.

Given the irreparable consequences that the implementation of artificial intelligence techniques without consideration of fundamental rights can have, it is necessary to analyze the initiatives and policies that are being developed, identifying areas for improvement considering international principles and good practices.

In collaboration with investigation centers, human rights organizations and individual researchers, during 2020 Derechos Digitales developed four case studies on different implementations of artificial intelligence in four Latin American countries. In Brazil, MediaLab.UFRJ and Red LAVITS analyzed the use of artificial intelligence in the National Employment System to facilitate the relocation of unemployed professionals in the labor market. In Chile, Matías Valderrama analyzed Sistema Alerta Niñez (Child Alert System), which seeks to estimate and predict the level of risk of children and adolescents of suffering some violation of their rights in the future. In Colombia, Dejusticia analyzed PretorIA, a project of the Constitutional Court that seeks to make the process of selecting cases for judicial protection of fundamental rights more efficient. In Uruguay, Dina Yael analized Coronavirus UY, a free mobile application.

On 2021, Derechos Digitales launch "Inteligencia Artificial e Inclusión" (Artificial Intelligence and Inclusion), a mini-website dedicated to the project, that includes the four case studies, an analysis of the main trends in the implementation of artificial intelligence technologies in the region, a mapping of national policies available at the time, and other useful materials.

Also, we started working on two new case studies (one in Chile and one in Brazil), and other useful resources that will be published during 2022. Inteligencia Artificial e Inclusión is available here https://ia.derechosdigitales.org/.

The project was developed with the support of Centres from the International Development Research Centre (IDRC), as part of the Cyber Policy Research network, which Derechos Digitales integrates together with organizations leaders in technology and public policy issues in the Global South. New case studies and other activities related to this line of research will be presented during 2022.

Facial Recognition in Latin America: Trends in the Implementation of a Perverse Technology

Facial recognition is a biometric identification technology that, through the analysis of characteristic features of the human face, seeks to establish a person's identity. The deployment of this technology without the necessary safeguards and appropriate controls can result in serious violations of fundamental rights, especially for people belonging to historically marginalized groups.

Aware of the silent advance of this technology in Latin America, together with the Al Sur consortium, we presented the research "Facial recognition in Latin America: Trends in the implementation of a perverse technology", a qualitative analysis based on the findings of the information survey on the deployment of facial recognition systems in Latin America, conducted between April and May 2021.

The objective of the research was to map in detail the existing initiatives in the region, with special emphasis on identifying the dominant biometric technology providers and their countries of origin, the type of relationship established with the States, the areas in which their presence predominates and their potential social, economic and political consequences.

A total of 38 initiatives for the use of facial recognition were reported, spread across nine Latin American countries, and implemented under different public policies.

This report is complemented by the website https://estudio.
reconocimientofacial.info/, where it is possible to find more details on each of the initiatives found, the technology provider companies and more information on regional trends in the implementation of facial recognition systems in the region.

_¿Quién defiende tus datos? Chile

This report corresponds to the fourth installment of the report "¿Quién defiende tus datos?", an evaluation of the way in which Chilean companies that provide internet services protect their clients' data, especially in the face of possible abuses by the state authority. The emphasis is placed on evaluating the extent to which companies defend the privacy of their users, both in the face of requests from the authorities and in the face of improper treatment of their users' personal data by third parties.

The methodology also evaluates and measures that there is a commitment from the companies regarding that the information related to the location of their users for public policy purposes (or geo-referencing data) can only be provided to the authority in an anonymized and aggregated form unless there is a specific and well-founded court order. Finally, companies are also required to establish transparency criteria with respect to the agreements they sign with other public and private institutions, in order to make this information available for research purposes.

In its fourth edition, the report notes a generalized improvement in the practices of internet provider companies, continuing the trend observed in 2019: Transparency reports have become a standard practice in the industry and companies are reporting more and better regarding the processing of personal data and the requirements for acceding to authority requests to hand over information about their customers.

¿Quién defiende tus datos? is part of a series of studies conducted in Latin America and Spain, based on Who Has Your Back? a report published by the Electronic Frontier Foundation (EFF) in the United States, whose methodology we adapted to the Chilean reality. Our report analyzes the privacy policies and publicly available codes of practice of the largest telecommunications service providers in Chile: Claro, Entel, GTD Manquehue, Movistar, VTR and WOM.

The report Is available here https://www.derechosdigitales.org/wp-content/uploads/QDTD-2021.pdf

_Rapid Response Fund for the Protection of Digital Rights in Latin America

Created in 2019, the Rapid Response Fund for the Protection of Digital Rights in Latin America (RRF) was created with the objective of responding in an agile manner to the requirements of Latin American activists, social movements and civil society organizations working at the intersection between human rights and technologies, especially in situations of extreme urgency that cannot be effectively addressed by the regular cycle of project funding. The RRF is managed by Derechos Digitales and counts with resources provided by the Ford Foundation, Open Society Foundations and Derechos Digitales.

The RRF is aimed at both civil society organizations and activists without formal affiliation, working on digital rights topics in Latin American and Caribbean countries. In addition to addressing urgent demands, the RRF seeks to include new voices in digital rights discussions in the region. To this end, it prioritizes actions led by groups that have had few opportunities to participate in technology policy debates in Latin America or that are negatively impacted by actions of control, surveillance and exclusion, such as women, LGBTQIA+ people, indigenous and Afro-American communities, rural populations and people with disabilities.

In 2021, the RRF supported the realization of 20 projects in 12 Latin American countries: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Nicaragua, Peru, Uruguay and Venezuela. In total, more than US\$130,000 were allocated for the development of actions led by activists and organizations in the region.

In addition to strengthening the ecosystem of digital rights protection in Latin America through monetary contributions to the implementation of various activities, the RRF generates new networks and ways of collaboration. Through the RRF, Derechos Digitales offers administrative, communication and technical support, when required by the participants, and offers its vision, knowledge and experience in issues related to human rights and technologies available for the development of approved projects.

During 2021, Fund participants were able to receive digital security training conducted by Derechos Digitales in partnership with the Digital Defenders Partnership and offered within the framework of the RRF initiatives. In addition, they had access to relevant information and material and were invited to participate in events that might have been of interest to them.

_PubliElectoral — Chile 2021

PubliElectoral is a technological tool of social interest that allows the collection of information related to electoral advertising in social networks. The project was developed by the Asociación por los Derechos Civiles (ADC) from Argentina and implemented in Chile by Derechos Digitales.

The objective is to have an independent measurement tool for campaign ads on social media, which allows to gather evidence and better understand how digital platforms are used by political campaigns.

To date, Derechos Digitales has applied PubliElectoral's methodology for the analysis of two electoral processes: The National Plebiscite of 2020, on the drafting of a New Constitution and the body that should draft it, the results of which were published and presented in 2021, and the Presidential Election of late 2021, the results of which will be presented in 2022.

In addition to obtaining a more precise idea of the role played by social media in political campaigns, the idea is to review the results in the light of current electoral regulations, in order to generate recommendations regarding public policy.

The PubliElectoral 2021 report is available at https://www.derechosdigitales.org/wpcontent/uploads/ADC_Informe_PubliElectoral_Plebiscito_Chile_FINAL.pdf.

_Workshop on regional and global advocacy on digital rights

Between December 2021 and January 2022, the Regional and Global Advocacy on Digital Rights Workshop was held, organized by Derechos Digitales within the framework of the Greater Internet Freedom (GIF) project.

The event brought together 25 members of Latin American civil society to promote their strengthening in the identification of mechanisms, techniques and spaces for advocacy at the regional and international levels.

The workshop was divided into four sessions aimed at making known the spaces for advocacy on digital rights at the regional and global level, sharing advocacy mechanisms and techniques that can be useful for organizations, and exploring possibilities for coordination and joint action among the participating organizations.

Creation of the Latin American Observatory of Digital Threats (OLAD, for its acronym in Spanish)

During 2021 the Latin American Observatory of Digital Threats (OLAD) was formed, an initiative promoted by Derechos Digitales that brings together civil society organizations in the region working on issues related to digital security. Currently, OLAD includes 14 organizations in eight countries in the region: Chile, Ecuador, Venezuela, Bolivia, Brazil, Colombia, Costa Rica and Mexico.

The objective of the observatory is to work in a coordinated manner against technical attacks that threaten human rights in Latin America. Thus, during the first year, the observatory has worked mainly through workshops and training on issues such as online violence, website security, Internet censorship and the difficulties involved in making remote accompaniments.

The long-term horizon is to be able to generate capacity in the region in order to perform detection and mitigation of complex threats, such as the use of malware and spyware, for example. During 2022, it is expected to initiate the development of a protocol for the reception and processing of incidents related to digital security.

_Chile: Digital Rights and a New Constitution

On October 25, 2020, a national plebiscite was held in Chile, where citizens had to express their approval or rejection of creating a new Constitution for the country. In a historic day, the option in favor of a new constitution received broad citizen support, with close to 80% of the preferences.

Thus began the path to generate a document to replace the Constitutional text created in 1980, during the dictatorship of Augusto Pinochet. In an absolutely unprecedented manner, it was also defined that the drafting of the new Constitution would be in charge of a body specifically created for this purpose, with members defined by popular vote, with gender parity and seats reserved for members of native peoples.

Aware of the implicit opportunity that this process represents for the recognition of rights associated with the use of digital technologies, we undertook a study to understand and describe the main concerns and expectations of citizens regarding the exercise of rights in the "digital era".

To this end, during the last quarter of 2021, seven citizen discussions were held with different interest groups, including women, native peoples, sexual dissidences, immigrants, children and adolescents, senior citizens, and a general group.

The results of these discussions were analyzed, and they served as the basis for a series of recommendations made in the framework of the constitutional discussion. Together with this, a report was prepared, published in 2022, which develops on the concerns, expectations and common and conflicting perceptions among different stakeholders regarding the exercise of digital rights.

The study is available at https://www.derechosdigitales.org/wp-content/uploads/nuevaconstitucion-2022-1.pdf.

_Memes to survive the apocalypse

Internet memes are units of popular culture that are created, circulated, imitated and transformed by people, and that exceed the single idea or image that is disseminated through different websites, but are a set of items that are created being aware of the existence of others.

Thus, imitation and remix are prevalent practices in the digital space, becoming pillars of the so-called "participatory culture" or "remix culture", and argues that we live in an era driven by a "hyper-memetic" logic, where every major cultural event gives rise to the emergence of a series of memes.

"Memes para sobrevivir al apocalipsis" (Memes to Survive the Apocalypse) proposes a regulatory context analysis on the legislative barriers that exist today at a Latin American and global level for the dissemination of digital memetic content, as well as to investigate what authorizations exist to circumvent the infringing nature of copyright, and how intellectual property rules interact with constitutional and international regulations on freedom of expression, as it has been interpreted by the Inter-American human rights system. It also seeks to reflect on the not only legal but also cultural and social nature of memes as a collective creation, a communication tool for dialogue, and an intrinsic and determining part of Internet culture.

The study highlights the tension between cultural rights and their intrinsic relationship with social, cultural and political expression and participation, and the mechanisms of intellectual property protection as they currently exist legislatively and technically. This includes the possible automation of content blocking and takedown by intermediaries, and the risks intrinsic to proposals for regulatory modification that would incorporate requirements equivalent to Internet filters.

The study is available at

https://www.derechosdigitales.org/wp-content/uploads/150721_ Derechos-Digitales_Memes-para-sobrevivir-al-apocalipsis.pdf.

_"Sonríe: estamos vigilando" Surveillance technologies in pandemics

The COVID-19 pandemic led many Latin American countries to acquire, develop and implement technologies as response mechanisms to the virus. However, we do not know much about the scope, effectiveness and impact they may have on fundamental rights such as privacy, freedom of expression, equality and integrity.

That is why Derechos Digitales, the Center for Justice and International Law (CEJIL), FLIP, IDHUCA, and Open Knowledge Brazil developed the joint research "Sonríe, #estamosvigilando", with the aim of demanding transparency and accountability regarding the different technologies deployed in Brazil, Chile, Colombia and El Salvador.

To this end, requests for access to information were submitted, in order to know the scope and impact of the technologies used to respond to the pandemic and the processes carried out by States to ensure that they respect human rights. Derechos Digitales was in charge of compiling the information related to Chile.

The results of the information can be reviewed at https://www.estamosvigilando-cejil.org/proyecto/.

Participation in international events

During 2020, Derechos Digitales participated in the following events:

January 11	Taller Voz de Maipú
January 11	Conversatorio: "Derechos Digitales por una internet [trans] feminista"
January 24	Foro Latinoamericano de Derechos Humanos
January 30	Workshop paper RTBF
February 5 to 8	Data Bootcamp
March 9 to 11	Workshop Data, AI & Society
March 27 and 28	OHCHR Online Expert seminar with the purpose of discussing how artificial intelligence, including profiling, automated decision-making and machine-learning technologies may, without proper safeguards, affect the enjoyment of the right to privacy
April 8 to May 8	UNESCO Consulta Regional sobre principios éticos para IA
April 22	Webinar BID ¿Cuánto importa la pri <mark>vacidad</mark> de los datos par <mark>a la gesti</mark> ón de la crisis?
April 23	Privacy concerns during Covid-19
April 29	States of Control - the dark side of pandemic politics
May 7	Protecting data and digital rights during the fight against COVID-19
May 11	Educación, internet y pandemia
May 12	Conferencia Regional Virtual 2020 de CEPAL e Internet y Jurisdiction Policy Network

May 14	El uso del cifrado en el contexto del COVID-19: protección de
	datos, confianza en la economía digital y seguridad
	en la infraestructura de Internet
May 14	M <mark>es</mark> a de trabajo Política Nacio <mark>nal</mark> de Inteligencia Artificial.
May 21	¿Sociedad digital para todos? Efectos del Covid-19
	y la oportunidad de Repensar Internet
May 28	Tecnopandemias - Vulner <mark>aciones a la libertad d</mark> e expresiór
	y privacidad en Internet
May 30	Legal Aspects of Internet Governance
June 4	Data governance & pandemics: LatAm perspective
July 18	Entrevista en La Regla del Pomodoro
June 24	Protección de Datos Personales e Interés Pública
June 25	La batalla por los datos perso <mark>nales: La sit</mark> uación en Am <mark>érica Latin</mark> c
June 28	Voto electrónico en América <mark>Latin</mark> c
July 7	EDPS/EDPB Trainees' Conference: Data Protection
	in the age of Covid-19. Yesterday - Today - Tomorrov
July 7	Live - Saídas para a desinformação: <mark>educação para a mídi</mark> c
	para <mark>além das salas de aul</mark> o
July 8	44th session of the Human Rights Counci
July 14	Conversatorio sobre políticas p <mark>úblicas: latido púb</mark> lica
July 14	Data security, De <mark>mocracy &</mark> Corono
July 22	Panel: Privacidad en los Esta <mark>dos de Al</mark> arma <u>(</u>
	la protección de datos en tiempos de COVID-19

July 22	Desafíos para la competencia en mercados digitales
July 23	Aulas Remotas em Tempos de DeepFakes e inseguranças jurídicas
July 28	Trading away our digital rights: the digital trade agenda at the World Trade Organization
August 1st	HOPE- Hackers on Planet Earth
August 7	Educação na pandemia: desafíos e direitos no acesso à internet
August 21	Consulta Virtual para el Informe sobre el Desarrollo Mundial 2021 con actores destacados de América Latina y el Caribe
August 24	World Bank Civil Society Consultation on the Principles on Identification
August 29	Datos y ciudadanía digital
September 7	Webinar ¿América latina camina hacia la penalización de la desinformación?
September 16	Seminario Ecuador ASI
September 22	Seminario del Implementation Working Group del Open Data Charter
September 22	Forum da Internet no Brasil -Educação Vigiada
September 23	Forum da Internet no Brasil - Desafios do exercício do direito à reunião e associação online.
October 5	10th NIC.br Workshop on Survey Methodology - Webinar Series Reflections on Artificial Intelligence and the Future of Data Production.
October 6	Panel "Desinformación, discurso de odio y democracia: debatiendo la regulación de las grandes plataformas digitales"
October 7	Conversatorio CEDI Democracia y Datos personales: brechas y desafíos en tiempos de pandemia y de cara a la nueva normalidad.
October 13	Conversatorio UFSM. El big data: cómo se protegen los derechos de los ciudadanos desde los dos escenarios Constitucionales.

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October 29	O que (não) sabemos sobre moderação de conteúdo nas redes sociais? Café & Chat
November 9	Conmemoración Aaron Swartz: Activismo por el
	acceso abierto al conocimiento
November 10	Identification and Diversity in Latin America
November 12	Big Brother, Privacy and Public Health
November 13	IGF 2020 WS #254 The interaction of platform
	content moderation & geopolitics
November 17	I Jornadas Internacio <mark>nales en Data</mark> Governance,
	Data Complianc <mark>e, Infose</mark> c & <mark>Cibe</mark> rseguridad
November 19	Proteção de dados em espaços público privados
November 19	3a Jornada Preparatoria d <mark>el Congreso Estudiantil de Derecho y Tecnología</mark>
November 20	Podcast Constitución Digital
November 23	Panel sobre los Desafíos del <mark>modelos de m</mark> últiples <mark>partes interesadas</mark>
November 24	Taller: Hacia la coherencia de políticas y la integración digital
	en América Latina y e <mark>l Caribe</mark>
December 3	Mesa redonda virtual sobre l <mark>a igualdad de géne</mark> ro con
	Embajador de Canadá
December 3	Foro de Gober <mark>nanza de Internet de Perú</mark>
December 7	Taller Mercado Digital Regional (MDR)
December 9	Media briefing on the World E <mark>conomic Forum's Future</mark>
	of the Connected World initiative
December 10	Foro sobre Pluralismo en Chile

During 2021, Derechos Digitales participated in the following events:

January 5	A Plus Alliance Second Cohort
January 8	IETF-LAC
January 14	Enade: Datos al servicio del desarrollo
January 21	The role of OECD in the Latam: the dynamics of regulatory convergence in personal data protection
January 21	GNI: Policy Comitee Call
January 28	El uso de datos personales en campañas electorales
February 10 🔔	Taller Nodes that Bonds
February 10 🔔	Seminario CELE: El rol de la sociedad civil en la moderación de contenidos
February 15	Citizen Data Audits of Private Sector Use of Public Data in Latin America
February 23	Biometric Data, Counterterrorism, and Human Rights
February 25	Global Encryption Coalition Webinar: Government Hacking
March 19	5to Encuentro de la Red de Parlamento Abierto de ParlAmericas: Contrarrestando la desinformación para promover un debate público responsable
April 7	Seminario Nueva Constitución en Chile
April 14	EU Cyber Direct project: Engaging civil society in the fight against cybercrime
April 15	Taller para Bibliordes: derechos de autor y acceso a la cultura (parte 1)
April 15	Lanzamiento latinoamericano de la Observación general Nro. 25

May 3	CALL re: Social Justice and Digital Resilience
May 4	Obfuscation Workshop
May 7	_ Sweeden Internet Forum
May 12	Exploring the WDR 2021. Data for a sustainable and inclusive world
May 19	[Google I/O Policy Roundtable] Privacy-Preserving Technology and the Evolution of Digital Advertising (Americas/EMEA)
May 25	Curso Institut de Drets Humans de Catalunya
June 3	HRC47 Civil Society Confab
June 10 to 21	Rightscon 2021
June 7	The Big trade off Panel RightsCon Digital Trade Allies
June 14 to 16	_ CPDP Latam
June 14	Evento moderación de contenidos IRIS BH
June 15	Diálogo multisectorial: Examinando las implicancias en la privacidad de las aplicaciones de rastreo de contactos en América Latina
June 15	Webinario: lineas de ayuda feministas
June 20	Introducing Global Encryption Day
June 20	Comparative Legislation Roundtable - Risk Mitigation Obligations under the European Digital Services Act
June 23	Workshop: Citizen Data Audits of Private Sector Use of Public Data in Latin America
June 24	CIGI & RESET: Global Platform Governance Network Research Working Group
June 28	Call on the Global Network for Digital Resilience

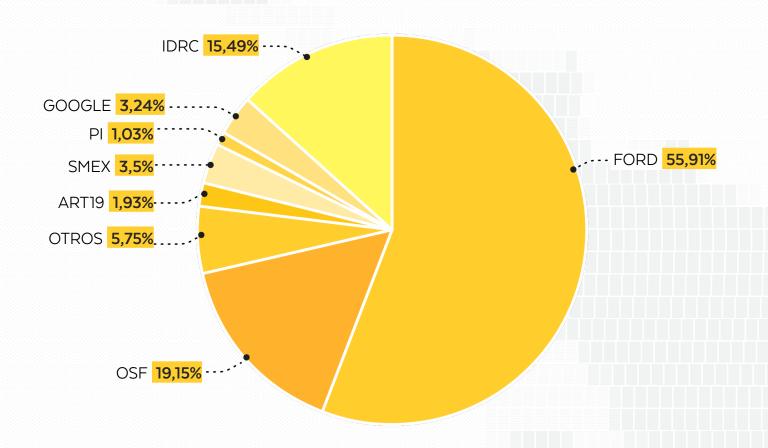
June 29	OCDE: Government Access to Personal Data held by Private Sector
June 30 to July 2	Evento Al Sur/GIF
June 30	International Telecommunication Union (ITU): Council Working Group on International Internet-related Public Policy Issues (CWG-Internet)
July 7	Tor Meetup Latin America
July 24 to 30	IETF 111
July 28	ICIC - Webinar "Transparencia y Privacidad en temas de Salud"
July 29	OMS: "Artificial Intelligence (AI) in health: Prioritizing ethics and human rights"
August 2	Evento CriptoAgosto
	Presentación: Memes para sobrevivir al apocalipsis
August 5	Paris Peace Forum
August 6	Octava sesión del Consejo de la Sociedad Civil de SUBREI
August 10	Human Rights are Not a Bug: Internet Infrastructure and Social Justice
August 20	Evento Observatorio Latinoamericano de Amenazas Digitales (OLAD)
August 21	Audiencia DD comisión de derechos humanos de la Convención Constituyente
August 23	Global Network for Social Justice & Digital Resilience August Convening
September 1	Amnesty International: Capacitación sobre Pegasus
September 2	Global South Algorithmic Governance
September 6	Reimaginging Platform Planet - A Feminist Digital Justice Exploration

September 9	Red Iberoamericana de Protección de Datos: Evaluación de impacto en protección de datos personales y derechos humanos
September 28	Taller ICNL-GIF "Combatiendo la Desinformación mientras se protege la Libertad de Expresión"
September 30	The Fight for a Global Internet Freedom - Tactics and Strategies Across Borders
October 7	Foro — Libertad de Expresión en la Era Digital: La importación de regulaciones del Norte Global al contexto Latinoamericano y sus efectos en el contexto regional
October 12	Global Privacy Summit (JC)
October 15	#FAIL: "Derechos humanos, tecnologías y resistencias en América Latina"
October 19	43 ^a Asamblea Global de la Privacidad (GPA) - Digital Identity: Digital Rights and Privacy Impacts in a hyper-connected society
October 20	Panel LIDIA
October 20	Seminario UFSCAR
October 21	Freedom of Expression and Gender Justice - Debatingthe new report by the UN Special Rapporteur on freedom of expression
October 21	AC-LAC: Global Encryption Day
October 22	Taller FRR: Seguridad digital y manejo respetuoso de bases de datos
October 25	CELE: Conversatorio para asegores legislativo: responsabilidad de intermediarios
October 26	Tech-Facilitated Violations of Displaced Persons' and Migrants' Right (MR)
October 27	CIDH - audiencia temática
November 4	Primer encuentro regional de economía digital

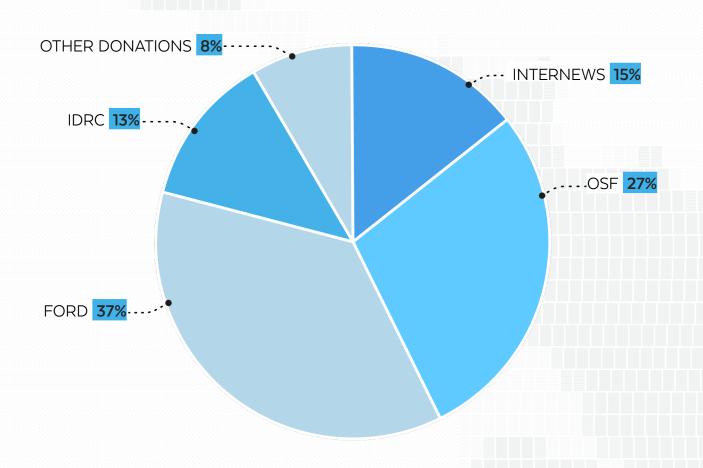
November 5	Webinar on the Second Additional Protocol in Latin America
November 9	APC: Workshop "El Futuro de la Gobernanza"
November 9	Reimaginar el futuro #1: Pobreza e infraestructura en América Latina
November 8 to 13	Coda.Br 2021 - Painel LAI em tempos de LGPD
November 10	Panel: Brechas digitales en pandemia
November 11 to 13	Paris Peace Forum
November 10	Al Sur Learning Session: HRIAs
November 16 to 17	Abrelatam/ConDatos 2021
November 16 to 18	Segundo foro internacional "La innovación en la justicia"
November 17	Innovation Forum
November 18	UN cyber processes coordination catch-up call - November
November 18	Community Week Encryption Panel
November 26	OLAD - Taller: Acompañamiento y reporte en casos de violencia digital
November 10 to Decemb	per 3 10th Anniversary Freedom Online Conference.
December 2	Tech Camp Chile
December 2	L Could Happen (T)here: Transnational Advocacy Strategies Around Social Media
December 2	Summit for Democracy: Data Access for Research Roundtable (JC)
December 3	_ IP.Rec: Perspectivas Multissetoriais da Responsabilidade de Intermediários
December 6 to 10	Internet Governance Forum
December 13	OGP Summit - Shaping the Agenda on Gender and Open Government

Financial Information

During 2020, the Derechos Digitales budget reached **US \$ 638,727.000** thanks to the contribution of the following donors:



*The Ford Foundation's contribuition is equivalent to the sum of two independent projects. During 2021, the Derechos Digitales budget reached **US \$ 970,700.761** thanks to the contribution of the following donors:



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