Latin American and Caribbean Internet Governance Forum: contribution to the Global Digital Compact

April 2023

About the Latin American and Caribbean Internet Governance Forum (LACIGF)

The first regional IGF in Latin America (LACIGF) was established in 2008 and has been reconvening annually ever since. To the date, it has had 15 editions – of which the past three were held online due to the restrictions imposed by the COVID-19 pandemic. A Program Committee, established to guarantee multistakeholder representation in the development of the agenda, decision making regarding the Forum and to ensure its continuity and sustainability, coordinates the LACIGF. More information can be found at: https://lacigf.org/en/.

Considering the discussions around a Global Digital Compact (GDC) within the United Nations and the opportunity to advance on its topics also within the global Internet Governance Forum (IGF), the 15th edition of the LACIGF in 2022 advanced Latin American and Caribbean messages on key themes established by the GDC in the first stake of after its initiation. A public consultation was held to define the four top priority issues for the LAC IGF community and the was set agenda according the prioritized themes: connect all people to the internet, including all schools; apply human rights online; protect data; and accountability criteria for discrimination and misleading content.

About this submission

This document was systematized by the Association for Progressive Communications (APC) and Derechos Digitales as civil society members of the LAC IGF Program Committee. It is based on LACIGF15 session reports and captures key messages from the Latin American and Caribbean internet governance community gathered at LACIGF15 from October 25 to 26th, 2022. More than 400 people from 20 different countries from the region, distributed among the different sectors that are part of the digital ecosystem and with equitable representation by gender, participated in this event.

Although they do not reflect a regional consultation or voting process, they identify potential consensuses within stakeholders participating in each session. Its goal is to offer input not only to the GDC public consultation process, but to inform future regional conversations on internet and digital governance.

We highlight that consolidated multistakeholder internet governance processes like the ones behind this submission, should continue to be prioritized and reinforced as we advance towards a Global Digital Compact.

October 24th was a Day 0 of the event dedicated to sessions led and organized by Youth LACIGF and the National and Regional IGFs operating in Latin America and the Caribbean. The full program can be found at: https://lacigf.org/en/lacigf-15/

Submission by theme

I. Connect all people to the internet, including all schools

Informed by session 1 of the LACIGF15 "Towards meaningful connectivity for all: challenges, lessons and proposals from Latin America and the Caribbean"

Introduction: While the COVID-19 pandemic demonstrated the relevance of the internet for exercising fundamental rights, especially in extraordinary and emergency situations, it also exposed the persistent inequalities behind internet access figures in Latin America and the Caribbean. From an identification of challenges and lessons learned at the regional level, this section seeks to propose pathways to advance connectivity for all.

Summarized key messages from LACIGF15 participants:

- States should development connectivity policies in line with their human rights obligations;
- Connectivity should be understood within a meaningful access framework that includes commitments to, at least, strengthen digital literacy, overcome digital divides, implement accessibility measures and promote multilingualism;
- Regulatory frameworks should allow different connectivity models to exist and flourish in order to
 facilitate affordable connectivity to all (multi-model, multi-operator, multi-solution approach) and
 contribute to digital inclusion;
- States should promote an enabling environment that includes the adoption of special measures to allow facilitated access to licenses and spectrum, particularly to local and community providers, without unnecessary constraints;
- States should create incentives for investments in connectivity including tax reduction for specific actors and areas;
- Spectrum management should be considered a development tool and not a revenue generating mechanism;
- Universal service funds should be redesigned considering a gender and diversity perspective that prioritizes the connection of the most marginalized groups.

II. Apply human rights online

Informed by session 2 of the LACIGF15 "Protecting human rights in digital environments in Latin America and the Caribbean"

Introduction: The internet enables the exercise of a wide set of fundamental rights. As States increasingly move towards the digitalization of essential services, internet access becomes key for the rights to education, protest, health, work and many others. On the other hand, censorship, surveillance, online violence - especially towards historically excluded groups- and the lack of relevant content in local languages, for example, present obstacles for the exercise of those rights. This section seeks to advance proposals towards the protection of human rights in digital environments and build from lessons learned in Latin America and the Caribbean.

Summarized key messages from LACIGF15 participants:

• The digitalization of public services should take into account possible human rights impacts from the design phase;

- A human rights framework should inform the acquisition and implementation of surveillance technologies, including biometric and facial recognition technologies;
- Special attention should be given to the protection and promotion of encryption;
- Audits and human rights impact assessments should be implemented within the life cycle of artificial intelligence technologies to prevent algorithmic biases;
- Coordinated efforts between the different stakeholders should be made to strengthen the respect and enforcement of human rights standards and commitments, particularly in Latin American and Caribbean countries;
- One-size-fits-all regulatory solutions should be avoided and effective and sustained regional
 participation should be promoted within global decision-making processes pertaining digital
 technologies and internet policies.

III. Protect data

Informed by session 3 of the LACIGF15 "Myths and realities around data protection in Latin America and the Caribbean"

Introduction: Countries in Latin America and the Caribbean have made significant progress in the area of data protection in recent years. In the world's most unequal region, data protection frameworks are a key tool for promoting individual autonomy, informational self-determination while also representing an opportunity for economic development in the globalized digital economy. However, the consolidation of regulatory frameworks is accompanied by implementation challenges not only institutionally, but also technically, along with the need to seek the appropriate balance with other fundamental rights. This section seeks to develop proposals on data protection considering the challenges, good practices and lessons learned within Latin America and the Caribbean.

Summarized key messages from LACIGF15 participants:

- The increase of multistakeholder and regional participation in global data protection and internet governance discussions should be a priority in order to advance guidelines towards context-sensitive and multicultural approaches;
- It is necessary to make progress in the implementation of existing standards and legislation regarding data protection regulation, and develop concrete guidelines and mechanisms to balance fundamental rights, including the protection of personal data;
- Mechanisms, standards and guidelines should be developed to support the necessary autonomy and specialized capacities of data protection authorities at national levels;
- It is necessary to recognize the role of data protection authorities to advance cooperation mechanisms, collaborate with different stakeholders, and develop capacities within data protection ecosystems.

IV. Accountability criteria for discrimination and misleading content

Informed by session 4 of the LACIGF15 "Who oversees the Internet? Responsibility for misleading content: reflections from Latin America and the Caribbean"

Introduction: Countries in Latin America and the Caribbean are increasingly affected by online disinformation: electoral or democratic decision processes have been affected by misleading content that take over public debate, often distancing it from key discussions of public interest. The LAC region is not exempt from orchestrated disinformation actions by public and corporate actors, or by organized hate groups,

oriented to discredit or silent certain voices or speech, and currently represent one of the main challenges in the internet governance ecosystem. This section presents proposals built from the regional experience regarding the fight against misleading online content and behavior from a multistakeholder approach.

Summarized key messages from LACIGF15 participants:

- Both, State and private sectors, should adhere to strict accountability and human rights standards and collaboration among all stakeholders have to be considered when it comes to responding to the threats and impacts of disinformation;
- There is a need to recognize and address the gendered impact of disinformation;
- It is necessary to advance prevention mechanisms, in particular digital literacy, with concrete commitments and actions at different levels and considering approaches that are sensitive to the various forms of inequalities that affect people when it comes to their online experience.