FOC Regional Consultations

Summary of Regional Consultation
in Latin America

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FOC Regional Consultations Report Latin America

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Context

- As 2022 Chair of the Freedom Online Coalition (FOC), Canada facilitated six multi-stakeholder regional consultations to engage directly with stakeholders and gather knowledge about Internet freedom challenges at the regional and sub-regional level.

- The multi-stakeholder consultations will feed into the FOC's upcoming "Ottawa Agenda", which will update the group's founding document, the **Tallinn Agenda**, with a set of commitments for promoting human rights online.

Summary

- During the Latin America consultation held under Chatham House Rule, experts from civil society, media, academia, and the private sector identified disinformation, spyware, and limited digital literacy as major contributors to shrinking civic space online.

Trends

The spread of information and communications technologies (ICTs) and global interconnectivity has tremendous potential to accelerate human progress. Nevertheless, **digital divides** and rising threats such as **Internet shutdowns** continue to threaten the goal of an open and interoperable Internet. Participants expressed concern over the growing trend of government-imposed Internet shutdowns, which limit the ability of human rights defenders, journalists, and environmental rights defenders, among others, to report on human rights violations or abuses. Throughout the region, areas with limited **connectivity** are isolated and unable to benefit from the dissemination of information online – a dynamic that was exacerbated by the COVID-19 pandemic. Widespread access to technology and improving digital literacy skills is imperative, particularly for those who lack consistent access to the Internet, including Indigenous peoples and migrants.

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There is a global trend towards **shrinking civic space** in both online and offline contexts. In Latin America, the global economic crisis is intensifying social unrest, with participants highlighting that governments may use this time of uncertainty to increase their use of digital technologies to repress and surveil their citizens. Already, digital technologies have been used by governments to restrict media freedom. Latin America and the Caribbean region is one of the deadliest regions of the world for journalists, with numerous public figures experiencing online threats that led to offline violence. Several participants expressed concern at the normalization of **censorship**, which has limited freedom of expression, opinion, association, work, and education.

Experts also flagged that there has been an increase in **disinformation**, particularly around elections, to control, intimidate and manipulate citizens. This is of particular concern, as regionally the privatization of civic space is widespread, with private companies increasingly taking hold of public discourse spaces. Experts raised that this trend often means companies are not adapting their moderation practices to local realities in Latin America or elsewhere in the Global South, instead focusing on Europe or the United States.

Numerous participants raised the issue of spyware, which is software that enables a user to obtain information about another's computer activities by transmitting data covertly. **Spyware** often targets political opponents, human rights defenders, and journalists. Many Latin American countries are also adopting biometric identification schemes in a systematic way, including facial recognition systems. Across the region, increasingly sophisticated hacking attacks from organized criminal groups routinely target critical infrastructure, such as health services. One expert raised that these malicious cyber operations have different impacts on women and gender-diverse individuals, yet the gender dimension of cybersecurity and cybercrime are often unexplored.

Recommendations

Participants recognized that the Freedom Online Coalition is a relevant and important body that has the power to persuade other governments to uphold human rights in both online and offline

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contexts. Participants recommended several actions that FOC members, individually or collectively, could undertake to increase Internet freedom regionally and worldwide. The FOC should:

- Continue to engage multi-stakeholder, interdisciplinary partners, bringing in intersectional experts, and giving voice to marginalized communities in the discussion; in particular, women and gender-diverse individuals must be included in the conversations surrounding cybersecurity and cybercrime, as they experience the threat differently.

- Ensure that normative language developed by the FOC is exported to other international and regional forums; disinformation, surveillance, and shrinking civic space in digital contexts should be priority areas of engagement for the FOC going forward.

- Engage more at the bilateral and multilateral level in Latin America to express concern over laws that hamper freedom of expression online.

- Work closer with the private sector to ensure human rights are upheld in online spaces, e.g., telecoms companies need to be held accountable to higher international standards to be transparent and accountable to consumers.

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Annex

Discussion Questions

- What regional or global trends related to the evolution of digital technologies and the internet will have the greatest impact on human rights online and offline in the coming 5-10 years?

- What are the most pressing challenges to the protection and promotion of human rights online, both regionally and internationally?

- How do we define free, open, interoperable, secure and reliable Internet at the infrastructure and governance levels? How can governments defend against Internet fragmentation?

- Where should governments focus their attention and international assistance support in bridging digital divides and increasing digital literacy?

- How should the FOC respond to growing attempts made to restrict democratic voices online (i.e. internet shutdowns, disinformation, spyware technologies)?

- What programs, initiatives or processes should the FOC engage on in the next 5-10 years to help protect human rights and fundamental freedoms and advance meaningful digital inclusion?

- How can the FOC deepen dialogue and cooperation with the private sector on the effective implementation of the UN Guiding Principles on Business and Human Rights?

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