

# CeTys

Universidad de San Andrés

2019

MANAGEMENT REPORT



Universidad de  
**SanAndrés**

## ANNUAL REPORT 2019

Dear Sir/Madam,

We are pleased to share with you the 2019 Management Report of the Technology and Society Center (CETyS) of the University of San Andrés.

This year we kept working to consolidate the CETyS as a space to build knowledge and professional training in areas related to innovation, regulation and public policies of digital technologies. We continued delivering our academic programs, in the case of the DITC it was its fifth edition; additionally, we expanded the Degree in Internet Governance (DiGI) by delivering it in Brazil with the support of the IT Institute of the Federal University of Rio Grande do Sul. We also developed seminars and meetings with experts from national and international universities as well as from the industry area. Moreover, the CETyS published four work documents of its own as well as two books.

The CETyS takes pride in having different funding sources to carry out its activities. That is very important to ensure not only its sustainability but also its independence. That funding is divided into public agencies, tuition fees, contributions from the private sector, grants from foreign universities and contributions from international agencies for the work conducted: consulting, research, training and teaching.

We hope we will be able to keep up this process of growth in 2020, boosting the national and regional digital ecosystem.

We would also like to take this opportunity to express our best wishes for the New Year.



**Carolina Aguerre**  
(Co) Director of CETyS  
Law School  
University of San Andrés



**Pablo Palazzi**  
(Co) Director of CETyS  
Law School  
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Pablo Palazzi

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Fernanda Martínez

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## 01. PROGRAMS

### Law and Technology of Communications (DITC) Program

**Director: Pablo Palazzi**

In 2019 the fifth edition of the DITC took place, and its objective is to train professionals from different disciplines in the most relevant and current legal and public policy aspects for companies, agencies and consultants in the internet, digital technology and telecommunications industry. It is a program that updates its contents to address the challenges of an ever-changing topic, with an increasingly deeper impact on different areas of the economy, the State and social and public life.

During classes the following topics were addressed: Regulation of convergent communications, internet governance and digital economy, cyber-security and computer-related crimes, access to information and personal data protection, artificial intelligence, intellectual property on internet, Fintech, philosophy of information and protection of competition in digital markets. The professors in charge of these modules are Oscar González, Santiago Gini, Paula Vargas, Carolina Aguerre, Paula Vargas, Carla Delle Donne, Santiago Valles, Pablo Palazzi, Micaela Mantegna, Santiago Mora, Karina Pedace, Tomás Balmeda and Fernanda Vicens, among other outstanding specialists

### Diploma in Internet Governance

**Director: Carolina Aguerre**

The 3<sup>rd</sup> edition of the Diploma in Internet Governance (DiGI) was conducted between August 12<sup>th</sup> and 17<sup>th</sup>. The program addressed a series of key topics in the agenda about the future of internet: i. Technical and political implications of internet; ii. The global ecosystem of internet governance; iii. Cyber-security governance; iv. Ethics, self-regulation and other approaches to governance; v. Competition in digital

markets; and vi. Governance challenges in IoT and artificial intelligence, among others.

The systemic approach, based on regional examples and topics that are particularly critical for Latin America, is characteristic of the program, which was held in Bento Gonçalves, near Porto Alegre; attendees came from Argentina, Bolivia, Brazil, Peru and Uruguay, and speakers came from South Africa, India, Brazil, Argentina, Sweden and Mexico.

This edition was co-organized by the IT Institute of the Federal University of Rio Grande do Sul, which is celebrating its 30<sup>th</sup> anniversary and it is one of the most prestigious centers in the discipline in Brazil, and by the [CETyS](#) of the University of San Andrés. The program had the support of CGI/NIC.br as well as LACNIC, ISOC, ICANN and Facebook.



## 02. RESEARCH & PUBLICATIONS

**Pablo Palazzi's book, *La intimidad informática* (Computer Intimacy), came out**

On May 29<sup>th</sup>, in the venue of the City of Buenos Aires of the University of San Andrés, the new book by Pablo Palazzi, *La intimidad informática* (*Computer Intimacy*), was launched. It was presented by Dr. Eduardo Bertoni, director of the Agency for Public Information Access, and it was attended by many experts in policy and development of digital processes in the public and private realms.

The work *Delitos contra la intimidad informática (Crimes against Computer Intimacy)* takes readers to criminal matters related to the protection of privacy in the digital society. Privacy is an asset cherished by all and it is threatened by the new technologies. More and more frequently, we store all our secrets and personal information in the digital space, which is subject to unauthorized access and to publications and uses that were not initially intended for that information.

The book analyzes the crime of email breach and illegal access to computers, which includes hacking digital devices and typical cases of data breach. Additionally, the crime of illicit publication of private messages, illegal access to social network profiles, state monitoring, telephone tapping and disclosure of secrets are discussed. Finally, crimes related to the criminal protection of personal data in databanks are addressed.



#### Publication on LACNIC 31 about the history of internet in the region

On May 9<sup>th</sup>, Carolina Aguerre presented the investigation on the book "[La comunidad de LACNIC. Una historia en construcción](#)" (The LANIC Community. A History in the Making) in the framework of the LANIC 31 meeting in the Dominican Republic. The book documents the history of the organization and the evolution of an ecosystem of players that came together 20 years ago for the deployment of internet infrastructure in Latin America and the Caribbean.



#### Presentation of the book *Fintech: Aspectos legales (Fintech: Legal Aspects)*

On November 21<sup>st</sup>, in the auditorium of the venue of the City of Buenos Aires of the University of San Andrés (UdeSA), the book *Fintech: Aspectos Legales (Fintech: Legal Aspects)* was launched. It is the first Fintech Law legal work with a scope in Latin America. The book was presented by its compilers: Pablo Palazzi, co-director of the CETyS, and Santiago Mora, researcher at the CETyS and professor at the Law School at UdeSA.



The book is a collective work with more than 40 authors that deals with the main challenges, debates and aspects of the Fintech world. As its presentation implies, it addresses topics such as digital documents, electronic and digital signature, digital identity, electronic methods of payment, crowd-funding and crowd-lending, judicial foreclosure of digital loans, open banking, crypto-currencies, the blockchain technology, smart contracts, the so-called Initial Coin Offerings (ICO), computer-related security, computer-related crimes, anonymity and personal data protection, terms and conditions for the use of apps and web pages and tax matters, among others.

**Publication in *La Ley*: “Primer caso argentino sobre ‘apropiación” de criptomonedas” (First Case of “Cryptocurrency Appropriation” in Argentina)**

On April 4<sup>th</sup>, a [special edition of \*La Ley\*](#) about the first judgement on crypto-currency appropriation in Argentina was released. Pablo Palazzi, co-director of the CETyS, and Andrés Chomczyk, researcher of the CETyS, wrote an article about it.

**Publication by Carolina Aguerre on the Journal Digital, Policy, Regulation and Governance**

Carolina Aguerre’s [article](#) “Digital Trade in Latin America: Mapping Issues and Approaches” came out on the 21<sup>st</sup> issue of the digital journal Policy, Regulation and Governance. There, she discusses topics related to digital commerce and protection of data in Latin America.

### 03. WORK DOCUMENTS

**Legal challenges of digital identities in the fintech industry**

Andrés Chomczyk’s [work](#) explores reflections regarding what digital identity is and the challenges it poses for the operation of fintech companies. That challenge affects the way customers are dealt with, the fulfillment of legal duties they may face as cogs in the financial ecosystem, as well as the way we comply with regulations for the protection of personal data.

**Internet intermediaries: Considerations for reflection within the context of Argentina**

The [work](#) of Carolina Aguerre and Maia Levy Daniel aims at developing the principles and foundations that underpin the discussion about the regulation of internet intermediaries to systematize the main elements of the debate. From the beginning of internet as a commercial network in the mid-1990’s, the American government implemented an act that has had an impact on the digital ecosystem, the Communications Decency Act (CDA) of 1996,

which today can be considered the starting point of this debate. Those measures sought to protect the freedom and openness of the network, differentiating the creators of content from those who provide a space to disclose that material, without considering them editors.

**Digital innovation and disruption in the market of payment methods: the case of the protection of competition in Argentina**

In this [article](#), Fernanda Vicens (professor at the DITC) and Esteban Greco (UBA) document the impact of one of the most important cases of protection of competition in Argentina on the market of electronic methods of payment. Additionally, this makes it possible to address a two-tiered objective: showing the implementation of analytical instruments for the protection of competition in multilateral markets and in markets where innovation is a key element, and showing the potential of competition agencies to use processing tools available to achieve a positive impact on the operation of markets and the economy.

**The new European regulation on Copyright: key elements for the debate in Latin America**

In his [text](#), Sebastián Cabello, affiliate specialist at the CETyS, evaluates the theoretical and conceptual framework of copyright with a special perspective to understand the ideal control and fair pay for the developing world, and Latin America in particular, from a society point of view. Four main axes are suggested for the analysis of the current discussion, and four additional axes for the implications of taking some measures along the “European style” in the region, to understand if that kind of initiative may be founded. Finally, they ponder how offer and demand work in different moments after increasing the control and the pay to creators, and it is observed that the effect of the substitution of incentives to creators is lower than the decrease of the initial offer. The loss of the well-being that stems from expanding a greater control to internet intermediaries seems to be the most plausible explanation for the developing

world, where there are multiple barriers for entry and market flaws that will affect the creation of local content and innovation. It also highlights that this type of measures may increase the “payment unbalance” of intellectual property.

#### 04. CETyS PARTICIPATION

##### Participation in the workshop: *Artificial Intelligence (AI) and Development of the Center for Economic Research and Teaching (CIDE)*

Carolina Aguerre took part of the event, which was held on February 25<sup>th</sup> and 26<sup>th</sup> in the City of Mexico in order to lay the foundations for a regional project with the support of the International Development Research Center (IDRC) of Canada. The meeting, attended by 25 leaders from academic centers, think tanks and governments of the region, had three objectives: i. Reaching consensus about the primary areas for development in the region; ii. Giving guidelines for a regional initiative to support the development of strong national AI policies in the region; and iii. Providing the basis for a regional community of players to implement the initiative.

##### Participation in the special report of the ASIET on the 8M

The Inter-American Association of Telecommunication Companies (ASIET) published a special issue of the digital magazine “[Telecomunicaciones de América Latina](#)” (Telecommunications in Latin America) due to the International Women’s Day.



One of the experts called was Carolina Aguerre, co-director of the CETyS. In her article, she frames the

discussion of the (low) participation of women in technology as the result of different phenomena, such as poverty or social constructions that tend to reinforce or replicate existing gender inequalities.

##### VIII Forum of Experts and Young Researchers on Law and New Technologies

On March 28<sup>th</sup> and 29<sup>th</sup> the [VIII Fórum de Expertos y Jóvenes Investigadores en Derecho y Nuevas Tecnologías](#) (Forum of Experts and Young Researchers on Law and New Technologies) (FODERTICS) took place at the University of Salamanca (Spain). Andrés Chomczyk, researcher at the CETyS, joined a panel in which he presented a [paper](#) on the legal challenges of digital identities in the Fintech industry.

##### Participation in the workshop on regional evaluation of freedom on internet of Freedom House

On May 15<sup>th</sup> and 16<sup>th</sup>, Carolina Aguerre took part in the workshop on methodological revision and evaluation indicators of Latin America for the Freedom House report, “[Freedom of the Net](#)”, in the 2019 edition in the City of Mexico. This report has been presented since 2009, and in the last years it has expanded to encompass 65 countries around the world. The attendees were researchers and activists from other countries of the region, besides Argentina: Brazil, Colombia, Ecuador, Mexico and Venezuela.

The full report on Argentina was produced with Ivan Kirschbaum.

##### Participation in “*More than just a game V*”

On April 4<sup>th</sup>, Micaela Mantegna, researcher at the CETyS, participated remotely in the international conference “*More than just a game V*” (MTJG), and delivered a lecture on “Interpersonal Relationships among Players in Times of Artificial Intelligence”. Originally held in London and with new editions in other countries, MTJG is a unique academic conference on interactive entertainment. It brings together the most important players in the videogame industry,

lawyers who specialize in the discipline and leading scholars in the field with the goal to exchange ideas, discuss challenges, explore solutions and map the legal problems that should be addressed in order to achieve better understanding, promotion and protection of the interactive entertainment.

### Participation in the EdTech Winter School

The third edition of the [EdTech Winter School](#) took place between June 3<sup>rd</sup> and 7<sup>th</sup>. It was attended by 28 specialists in education from nine countries. They exchanged experiences and reflected on technologies for education, focusing on people. Carolina Gruffat y Fernanda Martínez participated on behalf of the CETyS.



### fAIr LAC: The BID initiative to promote the ethical use of Artificial Intelligence

The fAIr LAC was launched on October 17<sup>th</sup> and 18<sup>th</sup> in Washington. It is a platform led by the BID for the development of an ethical, responsible and reliable use of AI in social policies in the region. Carolina Aguerre, co-director of the CETyS, participated in the meeting as part of the initiative group of experts. They made headway in the work methodology, the development of use cases and the advancement of regional hubs agendas (Montevideo, Jalisco, San José de Costa Rica). It was the second meeting of the group, which started work in Montevideo last June, in its first meeting.

### Participation in the IGF Argentina

A new edition of the IGF Argentina took place on November 14<sup>th</sup>, in Cordoba. This time, Fernanda

Martínez joined the panel of national strategies for the development of digital governance.



### Participation in the XIV Annual Symposium of GIGANET and IGF 2019

The XIV edition of the Annual Symposium of Global Internet Governance Academic Network (GIGANET) took place on November 25<sup>th</sup>, as part of the events prior to the Internet Governance Forum in Berlin. The [agenda of the symposium](#) addressed topics of national and regional context in the case of the first panel; the second one, facilitated by Carolina Aguerre, focused on the institutions and processes, while the third one dealt with legislation and regulations, and the fourth panel discussed theoretical works. This edition of the IGF revolved around three major thematic axes that gave shape to most of the sessions: data governance, digital inclusion and security, stability and resilience. Fernanda Martínez and Carolina Aguerre participated in different open sessions and in the meeting convened by South Affairs, called *Collaboration on Copyright Policy across EU and Latin America*. They also attended the presentation of [A+ Alliance for Inclusive Algorithms](#), which leads *Intelligent Citizenship and Woman @the table*.



## 05. ORGANIZATION OF SESSIONS AND WORKSHOPS

### International Symposium: European Directive on Copyright: Between Skepticism and Opportunity

Hearing all voices. That was the proposition of the event *Internet and the European Directive on Copyright: Debates and Crossroads*, organized by the CETyS on July 10<sup>th</sup>.

This meeting brought together international experts such as Ofelia Tejerina (specialist in Human Rights and new technologies), David Maeztu (lawyer specialized in internet rights and intellectual property), Miquel Peguera (researcher focused on the judicial aspects of the information society at the UOC), Stéphane Grueso (filmmaker and social activist), Carolina Botero (from Fundación Karisma, consultant on law and technology-related issues) and Claudio Ruiz (manager at Creative Commons), and well-known generators of content, representatives of the telecommunication business and the media, people responsible for formulating public policies, and scholars, among others. The aim was to reflect on the situation of the European Union and to present a space for discussion in which it was possible to analyze and prevent controversies that may arise as a result of similar legislation for Latin America and Argentina.

To review the agenda and transcripts of the event, click on this [link](#).

### Session on *Personal Data Protection: European Union General Data Protection Regulation. Creation and Consequences. Reform in Argentina*

The session took place on July 26<sup>th</sup> and it was organized by the CETyS, Access Now and DATAS. There was a presentation delivered by Estelle Massé, analyst of public policies for Europe and expert in personal data protection of the NGO Access Now; local experts in the matter also participated, contributing to the conversation with their enquiries and/or ideas.

The aim of the meeting was to talk about the

experience of the civil society in the creation of the GDPR, its consequences and potential improvements one year after its implementation, the problems associated to the performance of law enforcement authorities and considerations for the reform of data protection in Argentina.

This way, the key aspects discussed in the process of GDPR approval were evaluated, among them consent, restriction of purpose, the right to be forgotten, sensitive data, differences expected based on the type of company, the principle of transparency, etc. Other issues raised were some cases and provisions considered in comparative law in terms of privacy and personal data protection and, at the same time, the challenges in Latin America.

### Seminar: *AI & Copyright: An Overview and a Discussion on the Implications for Artistic Work*

The seminar was held on August 21<sup>st</sup> and it was led by Jessica Fjeld (Lecturer on Law, Harvard Law School - Assistant Director, Cyberlaw Clinic at the Berkman Klein Center for Internet & Society). It was co-organized by the CETyS and the Master Course in Intellectual Property and Innovation (MIPI).



### Workshop: "Artificial Intelligence in Latin America and the Caribbean: Ethics, Governance and Implementation"

The workshop was held on November 12<sup>th</sup> in the offices of the Interamerican Development Bank (IDB) in Montevideo, Uruguay. It was coordinated by the [CETyS](#), together with the [AGESIC](#) and the [fAIR LAC](#) platform of the IDB. It was funded by Facebook. Different university centers and think tanks of

different disciplines from Argentina, Barbados, Chile, Colombia, Mexico and Uruguay presented works in progress about the impact of artificial intelligence (AI) in Latin America. This workshop is part of a regional investigation on the state of AI, ethics and privacy in Latin America, coordinated by the CETyS. [More information.](#)



As Carolina Aguerre explained, the objective of the workshop was to “discuss documents produced in the region and to generate a community to move forward in the discussion of these topics in Latin America and the Caribbean.” The preliminary works presented during the workshop will be published in early March 2020 within the framework of Proyecto GULA, a space for the development of documents addressing the ethics of AI, its governance and implementation in all the region. Some of the guest speakers were Fabrizio Scrollini from the Latin American Initiative for Open Data (Iniciativa Latinoamericana por los Datos Abiertos, ILDA), Alvaro Pardo from the Engineering School of the Catholic University of Uruguay, and Renata Ávila from Intelligent Citizenship (Ciudadanía Independiente). For further information, click on this [link](#).

### **Presentation of the results of the research “Platforms Economy: Regional Challenges. The case of Mercado Libre.”**

On November 29<sup>th</sup>, the CETyS held a discussion with Alejandro Artopoulos, who led an investigation on the MELI case, and Carolina Gruffat, research affiliate at the CETyS. A key element pointed out by the work was the openness of Mercado Libre to developers, releasing its API. The first developers’ conference took place on October 31<sup>st</sup>, 2012. Thus, independent software developers became important players in the ecosystem as they improved users’ possibility to take advantage of data.

Another aspect of the research was that the platform usually scans data to make decisions regarding sellers’ credit based on their activity in the platform. “From their reputation to the time they take to pay, these are examples of datapoints in which artificial intelligence can be used to analyze the risk in each case and minimize fraud, or else to improve commercial strategies. This way, the importance of recording activities in the platform goes beyond having an impact on sellers’ credibility, as it also conditions their possibilities to access credit”, the work presented states.



Created by the [MI Lab](#) (Machine Intelligence Lab)

The complexity of the artificial intelligence phenomenon and the deep impact its deployed developments may have on the society and institutions, among them the judicial ones, require the openness to add the voices of different players and their value points. Given the transforming potential, the speed of advancement and the possibility of escalation, the tension between

## 06. SPECIAL PROJECTS

innovation and protection of individual rights is highlighted in this field, maybe more so than in any other area of internet policies and IT Law. For a better understanding of all its aspects, the study of artificial intelligence requires a holistic approach that fosters integration along the range of interests, competencies and capacities, making up a multidisciplinary and multistakeholder team.

From its academic role and through research, the MI Lab inside the CETYS aims at becoming a space for study, reflection and research on the ethical, social and regulatory impact of technologies related to artificial intelligence. Participants: Bruno Gorgone, Carolina Aguerre, Carolina Gruffat, Carolina Martínez Elebi, Fernanda Martínez, Lucia Suyai Mendiberri, Micaela Mantegna, Silvana Rivero and Silvio Messina.

Within this framework, we have decided to launch a weekly newsletter to keep our followers updated on trends and news about artificial intelligence. Micaela Mantegna, Defina Ferracutti and Iván Kirschbaum are in charge of the curatorship and edition of articles.

To subscribe, click on this [link](#).