



GA5: Legal Committee

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Issue: Strengthening legal frameworks on ethical and equitable use of digital technologies

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Committee: Legal Committee (GA5)

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## I. Introduction

With the development of innovative and digital technologies at neck-breaking speed, people have enjoyed an unprecedented level of comfort and prosperity. However, this situation also has led to new issues that did not previously pose problems, such as but not limited to the infringement upon individual rights and privacy, cyber-attacks & data security, and the digital divide caused by unequal distribution of digital accessibility. The main reason for the unfair dissemination of digital accessibility is the lack of funds and infrastructure caused by poverty. That's why there is a growing requirement on behalf of United Nations Member States to take legal action to eliminate poverty, which causes the digital divide between the low economically developed countries (LEDCs) and high economically developed countries (HEDCs), establish and maintain human rights to eradicate ethical concerns and implement government regulations to promote accountability. This is an urgent need because, just like uncertainties and concerns about the future of traditional industries in the digital-oriented economy, there are also unpredictability and worries about the lack of moral and fair legal frameworks for digital technologies. This is because legislation all around the world cannot keep up with innovation. New digital technologies arise together with conflicts and problems they bring about, but the pace of laws and regulations can not be aligned with them.



Picture 1: Ethical Principles of Digital Technology (Kuijer Martijn, 2022)

## II. Involved Countries and Organizations

### Central America:

#### 1. Belize:



Belize is at the beginning stages of digital transformation, with limited internet infrastructure, particularly in rural areas. In terms of economic growth and development, Belize aims to enhance digital literacy and infrastructure. However, it also recognizes the need for a framework to protect privacy and ensure the ethical use of digital technologies.

## 2. Costa Rica:

Costa Rica is a regional leader in digital technology adoption, with investments in education, e-governance, and online service expansion. Internet users represented more than 74% of the population in 2018. They support a transition to a knowledge-based economy, emphasizing fair labor practices and ethical technology use. President Rodrigo Chaves has stated their dedication to a “transparent and inclusive digital ecosystem.” Costa Rica’s data protection laws aim to protect user privacy, and ongoing policy developments focus on labor protections in the tech sector.

## 3. El Salvador:

El Salvador has improved its digital infrastructure and gained attention by implementing Bitcoin as a legal tender, affecting its digital economy. The government sees digital innovation as central to economic growth, mainly through cryptocurrency; though it acknowledges the need for ethical labor implementations, policies addressing ethical digital transformation and labor protections remain under development.

## 4. Guatemala:

Guatemala is improving internet access but faces significant rural connectivity gaps. It views digital technology as a means to boost economic participation but emphasizes the importance of fair labor policies to avoid displacement in traditional industries. Statements from the Ministry of Economy highlight Guatemala’s dedication to balancing technology’s positive impacts with social protections. Policies are being drafted to ensure ethical AI and data handling standards.

## 5. Honduras:

Honduras has invested in urban digital infrastructure, but rural areas still lack connectivity. The government is cautious about automation’s potential effects on labor-required industries and supports frameworks that protect workers’ rights in the digital transition. The need for “responsible digital transformation” and the work on privacy and labor protection guidelines to align with international standards is emphasized.



## 6. Nicaragua:

Digital infrastructure is underdeveloped, limiting Nicaragua's economic growth and digital economy growth. Nicaragua views digital technology as a potential economic equalizer & stabilizer but emphasizes the need for equitable access and privacy protections ensuring net neutrality. The government has yet to implement extensive digital policies but has expressed intent to collaborate regionally on ethical technology standards.

## 7. Panama:

Panama is advancing in digital finance and logistics services, being committed to developing policies that balance economic growth with data privacy, ethical AI use, and labor protections. The Ministry of Commerce and Industry would like Panama's digital policies to “ensure technology is used responsibly.” Upcoming policies focus on transparency in digital labor practices.



Map 1: Map of Latin America (Britannica, 2024)



## South America:

### 1. Argentina:

Argentina has a robust digital economy and a growing tech industry with 88.4% internet penetration. The government prioritizes ethical AI and data privacy to protect labor rights as automation impacts traditional sectors. President Alberto Fernández emphasized the importance of “inclusive digital transformation” at a recent technology conference. Argentina’s data protection laws and ethical AI standards reflect this commitment.

### 2. Bolivia:

Bolivia is expanding digital services but faces infrastructure gaps in rural areas. They see digital technology as a means to modernize the economy but underscore the need for equitable access to prevent economic disparities. The Vice Ministry of Telecommunications is drafting policies to protect workers from potential job displacement due to automation.

### 3. Brazil:

Brazil is a pioneer in the usage and legislation of digital technologies promoting digital ethics and labor protections in South America. A recent data protection law, LGPD or Lei Geral de Proteção de Dados Pessoais, passed in 2018 and enforced in 2021, handles many issues relating to the negative impacts of digitalization.

### 4. Chile:

Chile is a digital early adopter, especially in mining and financial services. The government advocates for ethical AI use and policies that prevent digital disruption from negatively impacting labor. Chile’s data protection laws and ethical AI policies aim to balance technological growth with labor rights. Chile's participation in international forums, such as the Forum of the Countries of Latin America and the Caribbean on Sustainable Development, underscores its commitment to sustainable and equitable digital development.

### 5. Colombia:

Colombia has made progress in developing its digital economy, as the population utilizing the internet changed from 38% in 2014 to 63% in 2023. The country has appeared as a leading player



in the digital landscape of Latin America and the Caribbean, accommodating 12.8% of the region's digital firms, "trailing only Brazil and Mexico."

#### 6. Ecuador:

Ecuador has taken steps to improve digital connectivity and infrastructure. The government focuses on equitable digital growth and ethical technology use, particularly in the financial sector. Policies are under review to align data privacy and labor protections with digital advancements.

#### 7. Guyana:

Guyana is slowly developing its digital economy, with ongoing improvements in internet access. Guyana supports gradual digital adoption, focusing on fair labor transitions and data privacy. They want to focus on developing privacy and labor protections.

#### 8. Paraguay:

Paraguay is investing in digital infrastructure with an emphasis on expanding rural connectivity. Paraguay's government sees technology as an economic growth tool. Policies are early but aim to address privacy and labor standards.

#### 9. Peru:

Peru has improved digital infrastructure in urban areas and is investing in digital education and finance. Labor protection policies and privacy laws are being developed to support ethical digital growth.

#### Other Countries:

##### 1. India:

India has transformed the nation into a digitally empowered society with a focus on digital infrastructure, accessible government services, and citizen empowerment, which was launched in 2015. Its efforts to bridge the digital divide include expanding high-speed internet to rural areas and providing digital literacy through programs like PMG-Disha, which has trained 47 million people.

2. **United States of America:** The U.S. launched its Digital Government Strategy on May 23, 2012, to improve digital services for Americans. This initiative builds on executive orders aimed at enhancing government efficiency and accountability. A key focus of the strategy is open data, promoted



through the Open Data Policy (M-13-13), which seeks to cut costs, improve service delivery, protect personal data, and expand public access to government information.

### III. Focused Overview of the Issue

In today's world, technology has become a crucial part of people's daily lives. With these technologies, strengthening legal frameworks on the ethical and equitable use of digital technologies has become paramount. However, the limitations should be discussed and evaluated to understand the ethical and equitable concerns that might arise from the development of technological tools. There are various constraints such as but not limited to privacy violations, data security & cybersecurity, bias and discrimination in algorithms, misinformation & fake news, addiction & mental health, loss of autonomy through artificial intelligence, environmental impact, labor & economic inequality, and surveillance & loss of freedom.

Privacy violations are one of the most significant negative impacts of utilizing digital technologies. These tools often collect vast amounts of personal data, often without explicit user consent or understanding, because "users often do not read or understand Terms of Service, may not think of their data as public." Many people do not read the terms of service, as "Deloitte" in a study held in 2017, "found out that 91% of consumers accept the terms and conditions without reading them." That is why issues like data harvesting, surveillance, and the lack of transparency in data handling by companies pose significant privacy concerns for digital technology users.

Moreover, data security and cybersecurity are crucial limitations of emerging technologies. There has been a significant increase in cyber threats, although there is an ethical obligation to protect users' personal data and information. Weak security measures, such as not having firewalls and proxy servers to eliminate cyber threats, can lead to breaches, causing exploitation of personal information and affecting individuals' safety and financial well-being.

Furthermore, bias and discrimination in algorithms are undeniable. Various digital systems use algorithms that may be biased based on the data they're trained on. This can result in unfair treatment in areas like hiring, policing, and credit scoring. This would lead to certain groups facing discrimination. As algorithms and AI systems learn from data that reflect discrimination, they may produce outputs that have discriminatory effects on people based on their gender, race, age, health, religion, disability, sexual orientation, or other characteristics.

Another constraint of utilizing digital technologies would be misinformation and fake news. The fleeting spread of information on social media and multimedia resources allows misinformation,



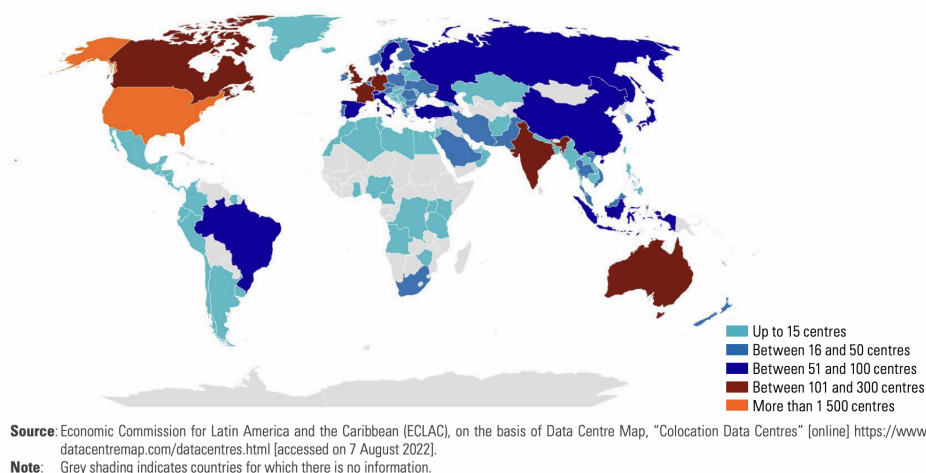
disinformation, and misinformation to be transmitted widely. Thus, digital platforms face ethical dilemmas in controlling false information while balancing freedom of expression.

These limitations lead to several impacts in various contexts, such as economic, social, and environmental.

### 1. Social Impacts:

Social media and other digital platforms are often designed to maximize user engagement most of the time, leading to addictive behaviors. Overuse of these platforms has been linked to mental health issues, especially among younger users. Yet, alongside addiction and its consequences on mental health, there is a social impact of loss of freedom due to surveillance systems. Governments and organizations increasingly use digital technologies to monitor individuals, often without their explicit permission. This can lead to a loss of personal freedoms and autonomy.

Moreover, autonomous technologies, specifically Artificial Intelligence, can make decisions and take action with little human oversight. This raises ethical questions about accountability, especially in difficult scenarios like healthcare, criminal justice, or warfare. That is why fairness and unbiased decision-making for AI and autonomous technologies are crucial in eradicating ethical concerns.



Map 2: Number of data centres by country, 2022 (ECLAC, 2022)

### 2. Economic Impacts:

Automation and AI technologies are replacing many jobs, leading to economic displacement and increased inequality. Although automation and AI technologies have not yet been adapted to a great extent in LEDCs, once they are implemented, the impact on employment and equality in income distribution is expected to be more severe than that of HEDCs. That is why ethical concerns arise





over balancing technological progress with fair labor practices and implementing these technologies in economically developed countries.

### 3. Environmental Impacts:

Digital technologies consume significant energy, especially those that rely on large data centers. According to the European Commission, “digital technologies account for 8-10% of energy consumption and 2-4% of greenhouse gas emissions across Europe”. Hence, the environmental footprint of digital technologies, such as the e-waste generated and the carbon emissions from data storage, raises ethical concerns about sustainability and a clean future.

Information technologies have brought about ethical and equitable concerns with their possible adverse social, economic, and environmental ramifications. That is why it has become compulsory to establish and reinforce the already existing legislation to ensure privacy rights, data & cybersecurity, prevent bias and discrimination in algorithms, misinformation & fake news, addiction & mental health, and loss of autonomy.

## IV. Key Vocabulary

**Digital Divide:** “the problem of some members of society not having the opportunity or knowledge to use computers and the internet that others have.” (Cambridge Dictionary, 2024)

**Digitalization** is the use of digital technologies to improve and develop the current “traditional” systems. In the modern world, as everything has started to digitalize, individuals and countries have to adapt their perspectives to enable digitalization in practices such as healthcare, education, and businesses.

**Digital Literacy:** “is the ability to access, manage, understand, integrate, communicate, evaluate and create information safely and appropriately through digital technologies for employment, decent jobs and entrepreneurship” (UNESCO-UNEVOC, 2018)

**Cybersecurity** is how individuals and organizations lessen the risk of cyber threats and attacks by protecting computer networks and unauthorized access to information.

**Disinformation:** “refers to false information that is intended to manipulate, cause damage and guide people, organizations and countries in the wrong direction” (Canada, Communications Security Establishment, 2024)

**Misinformation:** “refers to information that stems from the truth but is often exaggerated in a way that misleads and causes potential harm” (Canada, Communications Security Establishment, 2024)



**Misinformation:** “refers to false information that is not intended to cause harm” (Canada, Communications Security Establishment, 2024)

**Net Neutrality:** the concept of equal internet access for everyone regardless of restrictions by Internet service providers (ISPs). According to this term, users should be able to access the Internet equally and receive data accordingly.

## V. Important Events & Chronology

Date (Day/Month/Year)	Event
14/08/2018	Brazil passed the General Data Protection Law (Lei Geral de Proteção de Dados - LGPD), forming regulations that guarantee ethical digital implementations of expansive data protection.
11/04/2019	Chile initiates amendments to its data protection laws to reinforce user privacy and regulate the ethical use of digital technologies.
10/03/2020	Colombia reshapes its National Digital Transformation Policy, highlighting ethical guidelines for AI and digital technologies to ensure user rights.
05/05/2020	Peru regulates the Digital Government Law, concentrating on transparent and ethical digital governance to promote public services.
20/09/2020	Ecuador implements the Digital Ecuador Strategy, providing equitable access and ethical use of digital technologies.
15/09/2022	Ecuador hosted the first "Digital Ethics Forum," in which labor protection, privacy, and equitable digital access were discussed in collaboration with neighboring countries.
25/07/2023	The General Assembly of the United Nations passed a resolution on mitigating the negative impacts of “rapid technological change on the achievement of the Sustainable Development Goals and targets.”
21/03/2024	The United Nations General Assembly adopted a resolution “Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development.”



7-8/11/2024	The European Union and its Member States collaborate with their counterparts from the 23 Latin American and Caribbean countries signatories of the EU-LAC Digital Alliance[1] on 5 - 6 November 2024 in two high-level Policy Dialogues on Connectivity & Inclusion and Artificial Intelligence, discussing further EU-CELAC Summit in 2025. At the 9th Ministerial Conference on the Information Society in Latin America and the Caribbean on 7 - 8 November 2024, experts and officials from the LAC region assemble to assess the development of the Digital Agenda for LAC 2022-2024 (eLAC2024) and proceed with the agenda eLAC2026.
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## VI. Past Resolutions and Treaties

Apart from the European Union's General Data Protection Regulation in 2016, which regulates the process and transfer of personal data and sets guidelines for international approaches to digital technology, the United Nations General Assembly passed resolutions about the issue. The latest resolution, dated 21st of March 2024, focuses on initiating safe and reliable artificial intelligence systems to promote development towards implementing the 2030 Agenda for Sustainable Development and deploying each member state's different national approaches to legislation and governance. Furthermore, the resolution that passed before the latest, which was dated 25th July 2023, calls for countries to close the gender digital divide to promote inclusiveness and socio-economic well-being.

Besides, the United Nations Secretary-General broadcast a report in June 2020 implementing a roadmap for digital cooperation. This road map includes eight key issues, namely achieving universal connectivity by 2030, promoting digital public goods to create a more equitable world, ensuring digital inclusion for all, strengthening digital capacity building, ensuring the protection of human rights, supporting global cooperation while promoting trust and security in a digital environment and building a more effective architecture for digital cooperation.

Furthermore, in collaboration with the UN, the Economic Commission for Latin America and the Caribbean (ECLAC) established a digital path for sustainable development in Latin America and the Caribbean. 12 of the 16 countries surveyed stated having established or updated a digital agenda, while the remaining four were constructing their forthcoming agendas in 2022 (see Figure 1).

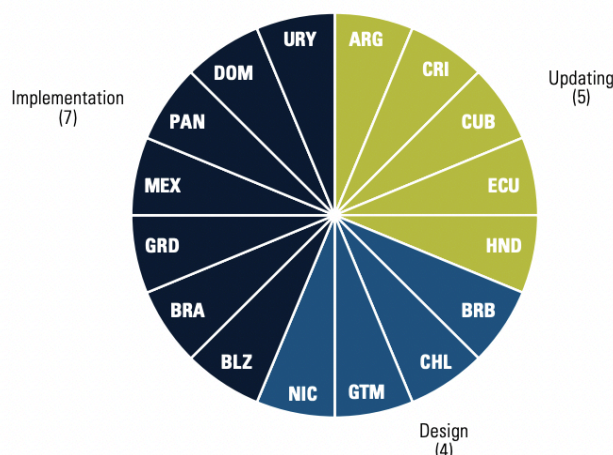


Figure 1: Survey Results (ECLAC, 2022)

The world seems divided into two halves; namely, half of the population can not access the internet at all, and the other half suffers from some negative impacts of digitalization. The report has long-term promises implying that by 2030, there should be global access to the Internet by safe and affordable means aligning with Net Neutrality and other Sustainable Development Goals.

## VII. Failed Solution Attempts

Alongside country-based efforts, countries of Latin America and the Caribbean started a regional process known as eLAC (Information Society in Latin America and the Caribbean), working on mitigating the digital divide for the sake of collaboration and solid action. However, considering that with new digital technologies constantly being introduced and the majority of Central America and South American countries being in the developing stage, the current attempts can not be deemed sufficient, and further attempts and resolutions are required. Most of the current regulatory frameworks, such as Europe's General Data Protection Regulation (GDPR) are not effectively enforced or they don't provide comprehensive application. While GDPR establishes high data privacy requirements, its implementation has shown loopholes, notably in addressing concerns such as algorithmic prejudice and the ethical implications of AI technology. The absence of defined guidelines for developing technology frequently leaves key ethical quandaries unresolved, resulting in uneven implementation of legislation across industries. Furthermore, legal frameworks addressing technology-facilitated gender-based violence remain inadequate as there are no unified global standards, emerging kinds of violence lack adequate legal classifications or protections. This gap enables continuous exploitation without responsibility.



## VIII. Possible Solutions

Possible Solutions can be approached from two main perspectives. First of all, laws and regulations about digital technology should not stifle innovation and development and, at the same time, allow equitable access, alleviating the digital divide. Secondly, the usage of digital technologies should be ethical and equitable, respecting individual privacy and democratic and human rights. With these notions in mind, legislation and diplomacy should be implemented in Central and South American countries through both country-based and collaborative efforts. Thus, laws and regulations encompassing AI and other digital technologies ought to take the following issues into account:

- offset the digital divide due to prosperity, gender, and class distinctions
- promote human values, ethics, diversity, and democratic rights, including freedom of expression
- facilitate economic progress and sustainable social welfare
- lead to higher competition and productivity
- boost the access to public services and the deployment of public policies
- increase research and development to allow innovation
- protect and conserve the environment
- safeguard privacy and personal data
- ensure transparency, integrity, and security
- maintain national defense through cybersecurity
- establish consistency via technical precautions aligned with global standards as well as existing national laws and regulations
- maintain labor protection and protect the rights of laborers who suffer from unemployment due to automation



## IX. Useful Links

### **Visit the roadmap established by the UN Secretary-General:**

<https://www.un.org/en/content/digital-cooperation-roadmap/>

### **Example Resolution:**

<https://documents.un.org/doc/undoc/gen/n24/087/83/pdf/n2408783.pdf>

### **About eLac:**

<https://conferenciaelac.cepal.org/9/en>

### **Digital Transformation - Panama**

[https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/09/digital-government-review-of-panama\\_2ef7c0cd/615a4180-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/09/digital-government-review-of-panama_2ef7c0cd/615a4180-en.pdf)

### **Latin American Economic Outlook**

<https://www.oecd-ilibrary.org/docserver/e6e864fb-en.pdf?expires=1731361709&id=id&accname=guest&checksum=6C4CBD5BA783A1E94AA5FAC0DBC4C86E>

### **Costa Rica**

<https://www.oecd-ilibrary.org/docserver/29f1597e-en.pdf?expires=1731328958&id=id&accname=guest&checksum=CBA22BDDBBFF0EB10EE018EF1CC301CA#:~:text=Its%20guiding%20principles%20are%3A%20the,and%20development%20of%20human%20talent.>

### **Organization of American States**

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