INTERNETLAB

RELATÓRIO ANUAL

2021

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INTRODUCTION

Promoting of human rights in a context of digitalization of politics and citizenship necessitates an approach both rooted in social problems and native to the constant innovations presented by the digital phenomenon. InternetLab, a research center on technologies and rights, is a Brazilian organization that seeks to formulate this approach. We engage in researching how rights are affected by technology, and in formulating how technology should be affected by the dispute over rights. We produce knowledge to serve as a basis for implementing public policies and regulations, acting as a hub for the articulation of sectors that observe innovations from different perspectives.

The year 2021 made this process of mutual affectation even clearer. After the beginning of the pandemic, the digital phenomenon has deepened its presence in the public sphere. Issues involving technologies, rights, internet policies and democracy gained centrality in the public debate. In an environment surrounded by reports of abuse, disinformation and hate speech, calls for the regulation of digital platforms have increased, and a number of discussion processes have accelerated worldwide.

In the national context, this scenario converged with the debates about disinformation that propelled the Fake News Bill in 2020, and it gained the contours of the country's political polarization. A year later, and after several proposals and pressure to ban content moderation, the project took shape as a political effort for platform regulation, and its processing in Congress regained strength.

Preceding a challenging election year, 2021 was marked by profound debates — and conflicts — over content moderation, freedom of speech, data protection and user rights. In this scenario, InternetLab participated in the political discussion and in the production of knowledge aimed at the enforcement of rights in issues related to technology

A LETTER FROM THE BOARD

Permeated by the acceleration of processes and digital transitions ignited by the Covid-19 pandemic, 2021 was a year for InternetLab to start truly navigating new waters. If 2020 opened a cycle of new frameworks in the field of internet policies, making it clear that agendas of the past projected less and less shadows in the future, it was in the following year that the striking features of this new moment began to come to light.

An emblematic political process of this period was the continuation of the discussions about the "Fake News Bill". Having started as the construction of a weapon against the "spread of fake news", the one-year anniversary of this bill made it clear that this was just the beginning of the conversation. 2021 revealed that the "Fake News Bill" embodied the Brazilian process of regulating large digital platforms, at least in this biennium. Besides possibly creating a crime for disseminators of disinformation, it would encompass other solutions and tensions, such as the creation of obligations of remuneration for journalistic content and of transparency for such platforms. Even though the bill was not approved in early 2022, it became clear that the regulatory appetite present on the other side of the Atlantic, in the European Union, and in other corners of the world was also present in Brazil, with the colors of the political and democratic crisis of recent years.

Thus, even though connections have emerged globally in the field of internet policies, the acute crisis of Brazilian democracy is a fundamental component of our work. Political violence in its intersectionality (in which online and offline environments are photographs of the same phenomenon, but from different angles), anti-democratic propaganda and the construction of a civic space based on surveillance, reduction of transparency and erosion of public policies were fundamental to determine what is considered priority for this field of organizations, of research and activism in transformation. It was in 2021, for example, that the Brazilian Executive Power used a civic celebration to issue a provisional measure designed to tie the hands of internet platforms in the face of violent and harmful content, with the aim of protecting their marketing networks. The task of understanding the guarantee of fundamental rights in the digital environment required giving centrality to the Brazilian context of increasing inequalities, violence and violations.

From InternetLab's perspective, four challenges have begun to take shape, fueling a review of our strategic planning scheduled for 2022-2023.

First, the challenge of formulating positive agendas to balance freedom of expression and safety in digital environments. Thus, we dedicated our work to overcome the outdated dichotomy between regulating online content or promoting freedom of expression, taking further the conversation around concepts of free expression online (which can host collective aspects and protecting the participation of voices that find more barriers to their participation) and on the concrete role of policies and technologies implemented by digital platforms. To face this challenge, we sought to bring the regulatory agenda of internet platforms to a framework of confronting the disinformation and violence faced by marginalized groups in the digital environment, advocating for a transparent, fair and responsible content moderation as a constitutive part of an online environment that protects freedom of expression.

Second, we have a challenge of contributing for a vision and a culture of "data justice", seeking that a data usage which is compatible with social justice. Thus, our projects sought to raise awareness about this emerging field of studies and advocacy in communities of digital rights and public policy, with the aim of building a "culture of data justice" for information technologies and personal data in the public and private sectors. Due to the way risks overlap existing vulnerabilities, we are particularly concerned about: (i) the complementarity between the right to privacy and social rights such as health and social care and (ii) discriminatory and exclusionary practices, arising from the biased treatment of personal data by new technologies, as in the case of artificial intelligence technologies.

Third, the exponential state surveillance based on digital communications requires an even bolder and more innovative formulation of legal tools in this scenario. Facing the growing use of information technologies as mechanisms of surveillance, control and injustice, with attention to racial and social inequalities, we are especially concerned with the endorsement of these uses by the Judiciary. This action of the courts is key, as it formulates the precedents that have configured and will configure trenches for the protection of fundamental rights, or that will serve as instruments for increasing inequalities, abuse and violence from the State.

Fourth, we have engaged on the renewal of narratives in the field of copyright and access to knowledge, introducing an intersectional perspective. Facing the new global standards and proposals that may negatively impact human rights and cultural diversity, we have worked (i) to involve the academia and civil society organizations in this topic and (ii) to investigate how the barriers to access knowledge and cultural productions can deepen the structural inequalities that result in a dynamics of exclusion.

In fact, it is not only in the field of organizations engaged on internet policies that the features of this new cycle have begun to come to light, but also within InternetLab. After a year of establishing solid foundations for the future with the edition of institutional policies, it was in 2021 that the organization's leadership began its renewal and consolidation, with the announcement of the expansion of our General Assembly and the participation of new leaders in our board of directors in 2022. As we mentioned at the time, we hope that such transformations will renew our critical spirit and our perspective, since the urgencies imposed by this changing field will require new strategies and ways of seeing and thinking.

Francisco Brito Cruz
Director

Marina Valente
Director

Fernanda Martins
Director

Heloisa Massaro
Director

AREAS
OF WORK

PRIVACY AND SURVEILLANCE

In 2021, the area sought to investigate and qualify the debate following two main axes: access to data and criminal investigations, and personal data and social protection policies.

Access to data and criminal investigations

In the first axis, we focused on understanding the impact of new technologies on investigation and prosecution tools. In addition to issues related to interception, secrecy of communications, encryption and cybercrimes, the exception provided for by the General Data Protection Law on the processing of data for purposes of public security and national defense has generated broad debates about the use and access to personal data in the context of criminal proceedings. InternetLab, therefore, sought to reinforce its stance as a place for discussing this topic. Through the annual organization of the Congress of Fundamental Rights and Criminal Procedure in the Digital Era and the periodic publication of the annals of the congress, we sought to make an exercise of curation of relevant actors and their contributions to the debate. In 2021, the theme of the Congress was "data protection and criminal justice", aiming at discussing the role and attributions of judicial bodies, such as the National Council of Justice, facing the use of new technologies for treating and analyzing data within criminal processes. In 2021, we also sought to establish partnerships, litigation coalitions, participation in public hearings and qualification as *Amicus Curiae* in some cases, in order to raise arguments to increase the consonance of privacy protection with the use of new technologies. We produced a **technical opinion** that supported the action proposed by civil society entities against the installation of facial recognition cameras in São Paulo's subway. We participated in a **Public Hearing in the Federal Supreme Court** that discussed the constitutionality of the figure of the 'judge of guarantees'. Through partnerships with Public Defender's Offices, we sought to disseminate legal theses that influence the way higher courts evaluate certain cases in the scope of criminal investigation, such as access to electronic devices in cases of *flagrante delicto*.

Use of data by the Public Power and social protection

On our second axis, we sought to establish a dialogue with the private sector and public managers for harmonizing the current practices of each sector and the guarantees of transparency and data protection. We developed this work through guides and incentives for the adoption of good practices, as well as policy papers indicating possible paths.

In 2021, we prepared a **guide related to the development of smart cities** with respect to the rules and principles of data protection, along with Laboratório de Políticas Públicas e Internet (Lapin) and Artigo 19. We also produced a **report on privacy in the use of applications to control the pandemic in the country**, in which we evaluated technological measures used by the government in the management of the Covid-19 pandemic, their impacts on rights to privacy and on vulnerable groups.

On this axis, we also continued the project on social protection and data justice. We released the report "**Protection of Personal Data in Social Protection Policies**", in which, based on a case study about Bolsa Família Program, we presented measures to ensure the implementation of public policies respecting fundamental rights to privacy and protection of personal data. In the document, we indicated the steps and safety measures to be observed throughout the life cycle of a public policy, and formulated concrete recommendations for the regulation of Bolsa Família Program, aiming at its adequacy in relation to the points of concern identified by the study.

Throughout 2021, in partnership with the Chilean organization Derechos Digitales, we also developed research on privacy challenges to the implementation of the emergency aid, an income transfer policy initiated during the Covid-19 pandemic. On the **report**, we explained the main characteristics of the program, such as the applicable legislation, data flow and agencies responsible for implementing the benefit, as well as the gaps and vulnerabilities found in its design.

Projects

> **Congress about Fundamental Rights and Criminal Procedure in the Digital Era 2021**, with support from the Law School of the University of São Paulo

> **Who Defends Your Data 2021** - project to evaluate the public commitment of internet providers with the privacy of users

> Research and publication of a **report** on risks to privacy on public policies and technologies to address the Covid-19 pandemic

> **Launching of the research and preparation** of the Guide on Human Rights and Smart Cities, in partnership with the organizations LAPIN and Artigo 19, aimed at public managers and the private sector

> Elaboration of proposals for institutional legal theses for the Public Defender's Office of São Paulo and preparation of an event with the same institution on access to electronic devices in cases of *flagrante delicto*

> Preparation of a **contribution and participation** in a public hearing at the Federal Supreme Court about the constitutionality of the figure of 'judge of guarantees'

> Research and publication of a **document with recommendations** about the intersection of social protection and privacy in the cases of Bolsa Família and Emergency Aid programs.

FREEDOM OF EXPRESSION

InternetLab's work on freedom of expression unfolded on three major fronts in 2021: building safe parameters for online freedom of expression, governance of expression on social media and freedom of expression in the regulation of digital platforms.
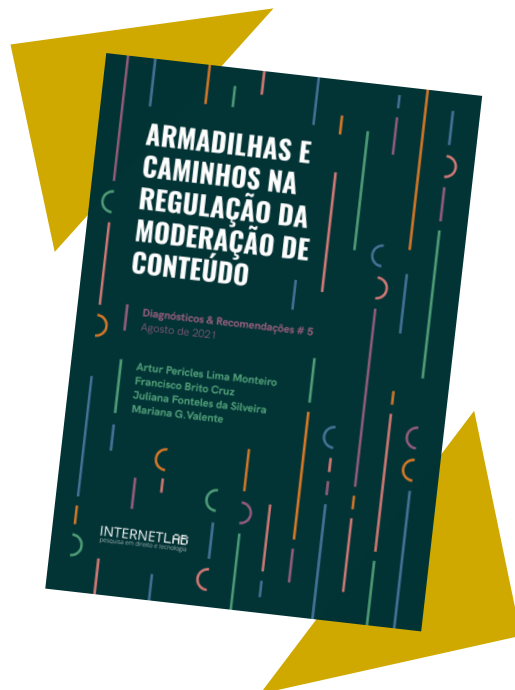
The first focused on building safer parameters for what can – or cannot – be said on the internet. On that front, InternetLab went to the Supreme Court to argue that the **National Security Law** was being used to silence common users of social media. Even with the repeal of the law, we argued that the court should evaluate its constitutionality, considering the impact on acts committed on the period of its validity. The contribution was based on the platform **Dissenso.org** (which, since 2017, has a library of cases (Casoteca) that monitors decisions related to the topic), with the aim of informing the public, researchers and professionals working with freedom of expression. In our effort to support the development of a culture of freedom of expression in Brazil, we also implemented a clinic for freedom of expression that was attended by undergraduate and graduate students from various parts of Brazil. The clinic, which worked within Núcleo Direito, Internet e Society from the University of São Paulo, presented the main theoretical discussions on freedom of expression and introduced the group to issues manifested in the daily lives of those who use the Internet with regard to exercising this right.

The Santa Clara Principles
On Transparency and Accountability in Content Moderation

On the second front, we participated in debates about content governance on social media. We co-authored the revised version of the **Santa Clara Principles**, one of the most important international documents on content moderation. We were also one of the organizations participating in the Content Governance Initiative created by Twitter to discuss the process of formulating its policies, a part of the platform's Trust and Safety Council. In addition, during this period we continued to work on contributions to cases of the Oversight Committee, an institution created by Meta to serve as an independent control over the content moderation decisions of Facebook and Instagram. On the case of **Donald Trump's suspension**, for example, we highlighted that the company must adopt a democratic and responsive stance

to the political and electoral situation in all the countries in which it operates, including Brazil. On the case of disinformation posted by a medical council of Brazil, we sent a **comment**, with Bruno Caramelli, professor at USP's School of Medicine, advocating that Meta should have appropriate strategies to the Brazilian reality, considering the severity of the pandemic in the country.

Our work on the third front concerned connecting freedom of expression with regulatory debates on social media. In September, we published a **new issue** of the series Diagnósticos & Recomendações, regarding regulation of content moderation and the Federal Government's proposal on the subject, which later became the Bill No. 1,068/2021. In the document, we sought to show that viewing content moderation as equivalent to censorship is misleading, not only because this activity is essential to ensure equal participation to all platform users, including historically minorized groups, but also because it is through content moderation that diverse spaces are created on the internet. Once the Bill was edited, we returned to the Supreme Court to present the results of our research.

ARMADILHAS E CAMINHOS NA REGULAÇÃO DA MODERAÇÃO DE CONTEÚDO

Diagnósticos & Recomendações # 5
Agosto de 2021

Artur Pericles Lima Monteiro
Francisco Brito Cruz
Juliana Fonteles da Silveira
Mariana G. Valente

INTERNETLAB

Projects

> **Clinic for freedom of expression on the Internet at Núcleo de Direito, Internet e Sociedade, from the Law School of the University of São Paulo**

> **Participation in the global monitoring network of cases of the <u>Global Freedom of Expression</u> project, Columbia University (USA)**

> **Participation in the regional network for monitoring cases and bills of the project <u>Observatório Legislativo</u>, Centro de Estudos de Liberdade de Expressão, University of Palermo (Argentina)**

> **Participation in the work group for the revision of <u>Santa Clara Principles</u> on content moderation for internet platforms**

> **Preparation of a document with recommendations ("<u>Pitfalls and paths in the regulation of content moderation</u>") and <u>amicus curiae</u> to the Federal Supreme Court in a case about online content moderation and freedom of expression**

> **Preparation and submission of two contributions (<u>1 </u>and <u>2</u>) to cases connected to Brazil to Meta's Oversight Board of content moderation**

INEQUALITIES AND IDENTITIES

In 2021, the work of the area was built on three major fronts, in articulation with different social actors: gendered political violence, online violence, and free knowledge.

The first focuses on **gender-based political violence**. In 2021, we conducted the **Hate Speech Special**, a series of interviews with law researchers and operators, to understand how the concept of hate speech is instrumentalized in different social arenas of the country. Based on the elaboration of interviews, we concluded that hate speech stands as an umbrella concept, encompassing different kinds of discrimination and violence based on inequalities that historically structure social relations in Brazil. With this, we understand the need to qualify these different forms of violence that affect politically minorized groups.

In dialogue with this understanding, we focused on the preparation of **MonitorA's report**, our observatory of political violence, conducted in partnership with AzMina magazine. On the report, we point out the need to understand violence from distinct political and historical moments, paying attention to the fact that different concepts can be articulated to talk about interconnected social phenomena, such as hate speech and political violence. On the document, in addition to case studies and analyses of the data publicized along the previous year's elections, we prepared recommendations for different social sectors aiming to contribute to the debate on ways to mitigate violence against candidates and parliamentarians. The observatory was one of the winners of **Cláudio Weber Abramo Award for Data Journalism**, the main award for data journalism in Brazil.
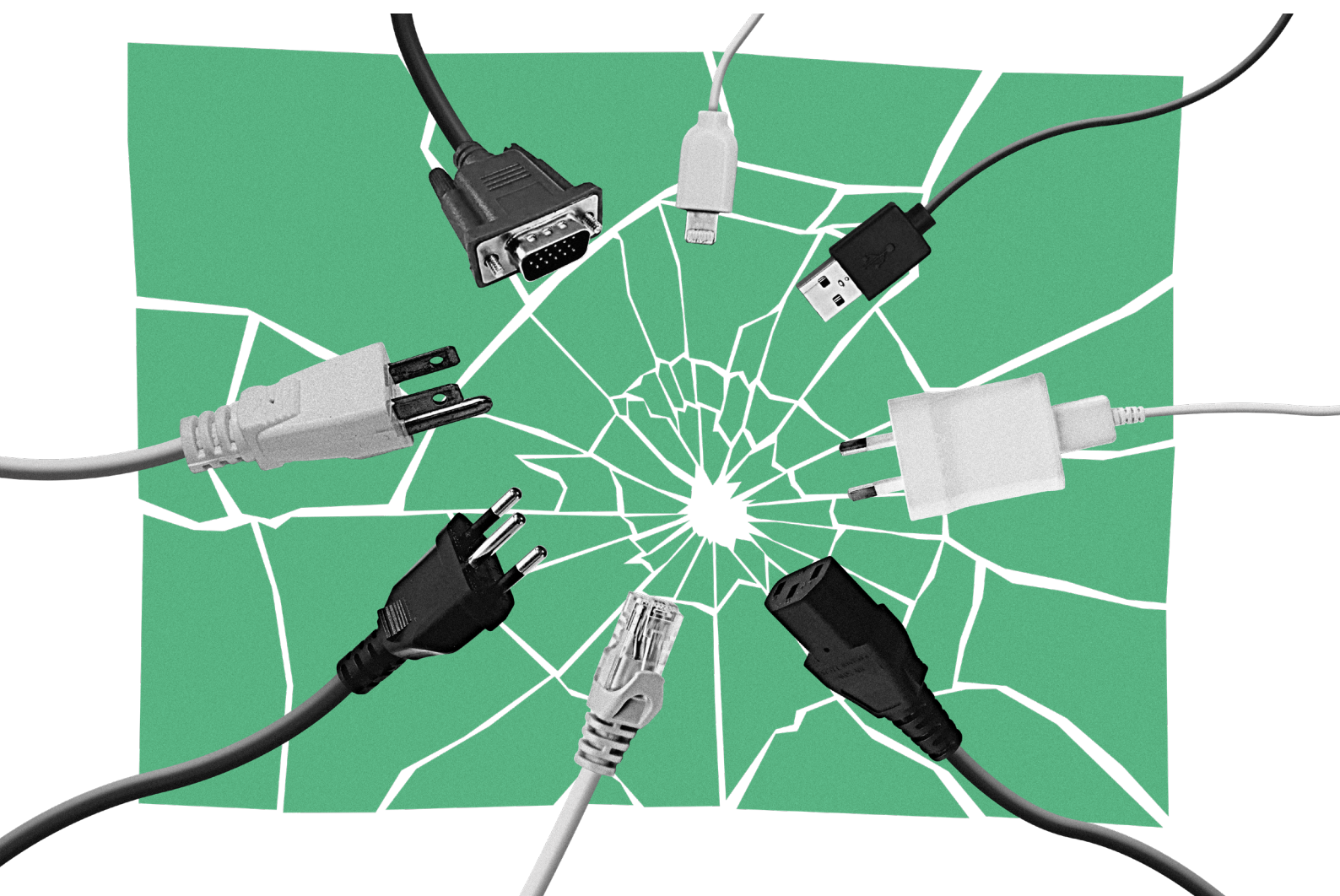
The second research front focused on understanding different forms of online violence. Having matured the methodology built for MonitorA, in partnership with AzMina magazine, we conducted research on **attacks against journalists** on social media. Among the survey results, we identified that **women journalists receive more than twice as many attacks when compared to men journalists**. In addition, **women journalists are discredited when they take a stand for the rights of black people and for guaranteeing constitutional rights of indigenous peoples**.

We also conducted a jurisprudential research on **online racism**. Developed in partnership with the **Center for Racial Justice and Law of FGV's Law School**, the research analyzed the sentences of seven Brazilian states that judged cases of online racism. Among the main research findings is the low judicialization of online cases: the collection of offline judgments on racism and racial slurs found 1450 judgments, whereas the collection of online cases found only 77 of them.

The last research front developed by the area in 2021 focused on the debate on online free knowledge involving black and indigenous people. To this end, the Wikimedia Foundation and InternetLab selected a **postdoctoral fellow**: Stephanie Lima. The research fellow's

project analyzes how inequalities of race/ethnicity, which structure Brazilian society, cross the notions and productions of knowledge in Brazil. In addition, it aims to reflect on how the inclusion of self-declared black (black and brown) and indigenous people in public and private universities in Brazil has impacted the production of questions about equity in knowledge and contradicted epistemological paradigms.

In dialogue with the debate on social equity, we also elaborated, in partnership with the entities Agência Mural, MariaLab, Global Partners Digital, Instituto Matizes, Casa 1, Rede Conhecimento Social, Instituto Beta and Olabi, as well as the Researcher Natália Neris and Professor Graciela Natanhson, from UFBA, the **Guide for diversity and inclusion in the field of digital rights**. There, we identified that the perception of diversity and inclusion among digital rights organizations differs significantly, both with regard to cultural, geographical, social and economic perspectives, and to limitations related to each organization's size and resources. The production of the guide was, thus, an attempt to gather and share information related to diversity and inclusion in the field of digital rights.

Projects

> **Attacks to journalists**, a project developed in partnership with civil society organizations

> **Jurisprudential research on online racism**, carried out in partnership with Getúlio Vargas Foundation

> **MonitorA**, an observatory of online political violence, conducted in partnership with Azmina Magazine

> **Postdoctoral fellowship on knowledge equity**, with support from Wikimedia Knowledge Equity Fund

> **Guide for diversity and inclusion in the field of digital rights**, conducted in partnership with civil society organizations and independent researchers

> **Hate speech special**, interviews with experts and activists on the topic

INFORMATION AND POLITICS

In 2021, InternetLab's information and politics area focused on three agendas: election regulation, political communication in messaging apps, and integrity of the digital public sphere. The first agenda is related to electoral regulation and its intersection with digital communication processes.
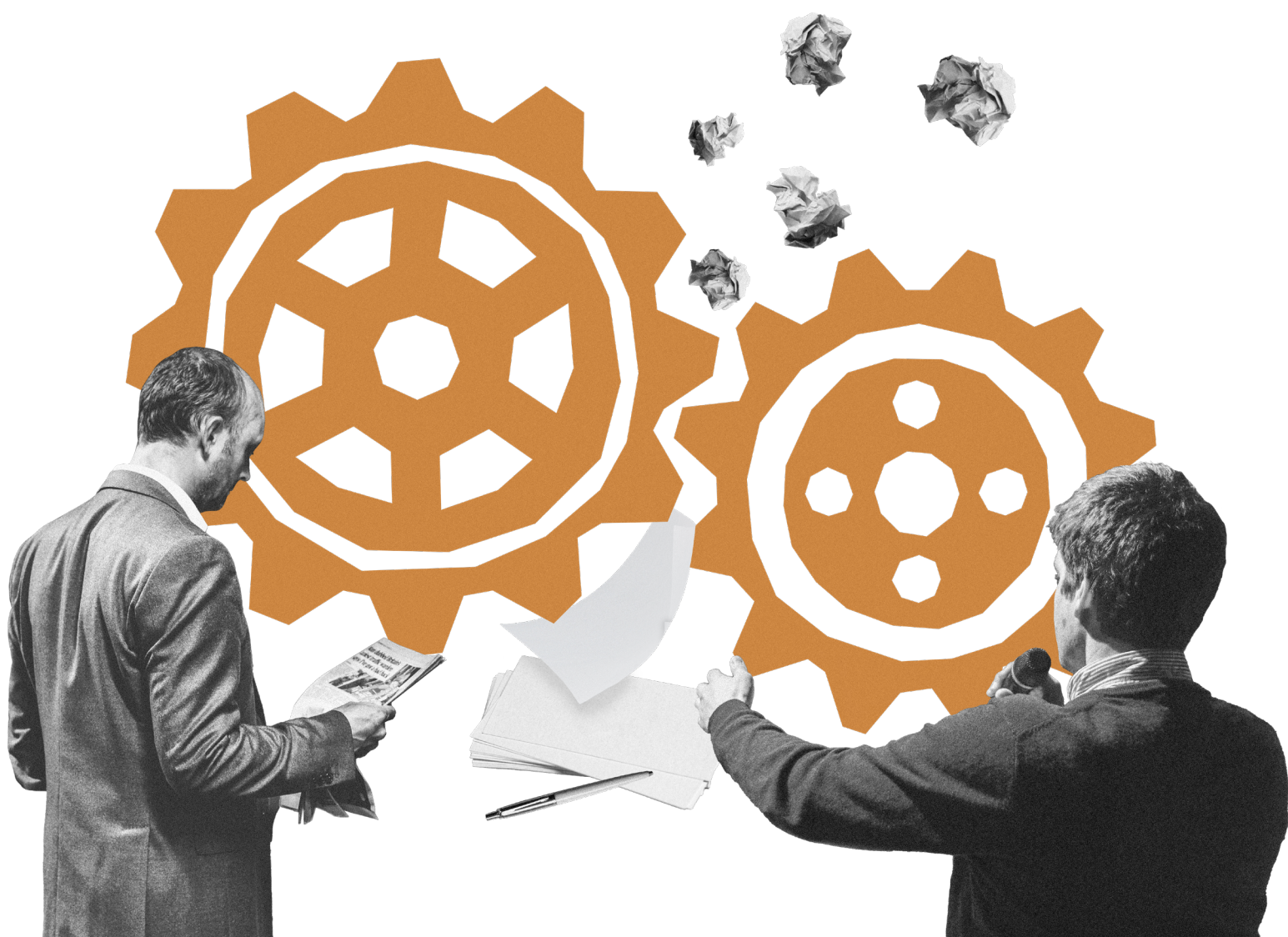
On this front, considering, on the one hand, the processing of personal data by electoral campaigns, and, on the other, the need to find regulatory paths that guarantee the non-violation of fundamental rights, we published the "**Report on Recommendations for the current Brazilian framework**". The document continues InternetLab's work in the field of data protection and elections, but proposes a new step towards building a bridge between electoral regulation and data protection. The report is a result of the **Study Group for Data Protection and Elections**, formed by InternetLab, Data Privacy Brazil, CEDIS/IDP, Instituto Liberdade Digital and independent researchers. To release the report, the "**Protection of Personal Data and Elections Seminar**" was organized, which sought to contribute to the discussions around challenges for regulation and application of the General Law on Data Protection in electoral processes.

During the preparation for the 2022 general elections, InternetLab also participated in the public consultation opened by the Superior Electoral Court in 2021, whose objective was to update the resolutions regulating the electoral legislation. The contribution sought to ensure: the protection of voters' personal data; the authenticity of the public debate; equal chances in the electoral process; and the right to freedom of expression. The **suggestions forwarded by InternetLab** were fully or partially incorporated by the Court.

The second agenda focused on understanding the role and use of private messaging applications on Brazilian political communication. We launched the project "**Vectors of Political Communication in Messaging Applications: habits and perceptions**", carried out in partnership with Rede Conhecimento Social. The research explored how the dynamics and individual behaviors of users are operationalized in political communication. To this end, its methodology combined discussion groups and a sample survey. We aimed to shed light on the habits, perceptions and norms developed by users to talk about politics, as well as to deepen the knowledge about how these behaviors relate to strategies adopted by political actors to influence the public debate in messaging applications.

The third front focused on the discussion over the integrity of online public debate. With the intention of supporting the development of new techniques and tools to identify and better understand the strategies and operations that seek to influence and/or distort the public debate, **InternetLab launched a call for research on the use of manipulation techniques in social media**. From over 30 proposals received, **three projects were selected and developed throughout 2021**. The selected projects received financial, thematic and communication support from InternetLab. Their results served as input for workshops with academic and civil society organizations working to ensure the integrity of public debate.

Also relating to this agenda, the guide "**Talking about online attacks and trolls: a guide for journalists and online content creators**" was published. The document, produced with the organization Redes Cordiais, provides information about trolls and online attacks, their impacts and the risks associated with the amplification power of journalists and influencers. Following a harm reduction approach, the guide gathers tips and information that can serve as tools to contain the spread of harmful content. The material was presented to influencers from different parts of the country, reaching more than 30 content producers.

Projects

> Elaboration and publication of qualitative and quantitative research on the use of messaging applications and politics ("Vectors of Political Communication in Messaging Applications: Brazilian habits and perceptions")

> Continuous update of the "Media Diet Guide", a repository of data on digital media consumption in the country

> Elaboration of the guide "Talking about online attacks and trolls", aimed at communicators and digital content creators

> Funding for research on network monitoring and political communication through a call for research on the use of manipulation techniques in social media;

> Elaboration, submission and debate of proposals for statements on online electoral propaganda and political violence at I Jornada de Direito Eleitoral

> Preparation and submission of proposals in the process of public consultation about electoral resolutions by the Superior Electoral Court, which incorporated most of the suggestions in the text of the approved resolutions;

> On the topic of electoral regulation and personal data protection:
> - Report on the regulatory framework for data protection and elections in Latin America;
> - Seminar Personal Data Protection and Elections (conducted by the Study Group on Data Protection and Elections, integrated and administrated by InternetLab)
> - Report on Recommendations for the current Brazilian framework (developed by the Study Group on Data Protection and Elections, integrated and administrated by InternetLab).

CULTURE AND KNOWLEDGET

In 2021, the work of Culture and Knowledge area at InternetLab had three main axes: copyright and internet policies, access to knowledge, and right to research.

Copyright and internet policies

The first axis worked on the intersection of copyright and internet policies in proposals for legislative change. To this end, we studied the possible paths in the reform of the Copyright Law through a public consultation held by the National Secretariat for Copyright and Intellectual Property in 2019. The study evaluated which interest groups are currently participating in Brazilian copyright policy debates. The research also enabled us to observe how foreign legislation is presented as a model for Brazilian legislative reform on topics such as liability of intermediary providers, protection of online works and proposals for remuneration of newspapers through digital platforms.

In addition, through **Remix**, a partnership with Intervozes and IBDAutoral, we produced and shared knowledge on the topic, and established channels of dialogue with third sector organizations and with entities representing newspapers and journalists. Besides analyzing the competitive model and author's remuneration, we questioned the premise that there is a specific imbalance between platforms and newspapers and that a new legal instrument is needed to correct it. These studies were published on Remix's column on the portal **Jota**, entitled "Rethinking copyright".

Still within the scope of this first axis, InternetLab responded to the consultation on the protection of online audiovisual works, which was the subject of a **Draft Normative Instruction of Ancine**. In our **contribution**, we underscored the need for measures aimed at the enforcement of copyright to take into account not only the interests of copyright holders, but also the limitations and exceptions to copyright and other fundamental rights.

Finally, we were one of the organizers of the **Global Congress of Intellectual Property and Public Interest** (CGIP), a reunion of academics and activists with the aim of producing knowledge to promote evidence-based policymaking. In addition, along with Karisma Foundation, Open Future and Ford Foundation, we organized the "**Workshop on Copyright and Digital Economy**", a parallel forum to the GCIP, in which researchers presented and discussed their research with the opportunity of publishing.

Access to knowledge

The second axis is related to the issue of access to knowledge and democratization of the debates on copyright. With the same partner organizations of Remix project, we participated of the updating of the "**Guide to Copyright and Open and Remote Education - Ques-**

tions and Answers". The publication seeks to clarify questions about the use, in online teaching, of copyrighted materials and the protection of lesson recordings. The **access to works**, including access by the **visually impaired** and for **educational purposes**, was the subject of articles by Remix at Jota.

Right to research

Regarding the right to research, our third axis, in partnership with the organizations Karisma Foundation (Colombia), Nurep (Brazil), Hiperderecho (Peru), DatySoc (Uruguay), Derechos Digitales (Chile) and Fundación Via Libre (Argentina), we coordinated an investigation on how the right to research is perceived in Latin America, focusing on the use of protected works in text and data mining processes. Finally, right to research also served as a starting point for the publication of a **book chapter** that analyzes the relation between copyright and data-driven innovation activities.

Projects

> Participation in <u>Projeto Remix - Direito Autoral para Geral</u>, a result of InternetLab's partnership with Intervozes, Núcleo de Pesquisa em Direitos Fundamentais, Relações Privadas e Políticas Públicas (NUREP) and Instituto Brasileiro de Direitos Autorais (IBDAutoral). The project aims to democratize the discussion on copyright through various fronts;

> Preparation of a contribution based on the <u>2019 Public Consultation on Copyright Law Reform</u>, identifying and evaluating the positioning of the main interest groups currently participating in debates about copyrights;

> <u>Organization of the 2020 edition of the Global Congress of Intellectual Property and Public Interest</u>, an international event that analyzed the relationship between intellectual property and the public interest in the context of the COVID19 pandemic, in partnership with Karisma Foundation, IFARMA Foundation, ISUR Center and Misión Salud (Colombia). In parallel, along with Karisma Foundation, Open Future and Ford Foundation, we organized the "Workshop on Copyright and Digital Economy", a forum in which researchers presented and discussed their research with the opportunity of publication;

> Submission of a contribution to the <u>public consultation of Ancine</u> on the protection of online audiovisual works, a topic that was the subject of a Draft Normative Instruction from Ancine;

> Coordination of research about the perception on the right to research in Latin America, focusing on the use of protected works in text and data mining processes, in partnership with the organizations Karisma Foundation (Colombia), Nurep (Brazil), Hiperderecho (Peru), DatySoc (Uruguay), Derechos Digitales (Chile) and Fundación Via Libre (Argentina). The research is part of the Project "<u>Right to Research in International Copyright</u>", with support from Arcadia Foundation and coordination by the "Program on Information Justice and Intellectual Property" (PIJIP) - American University.
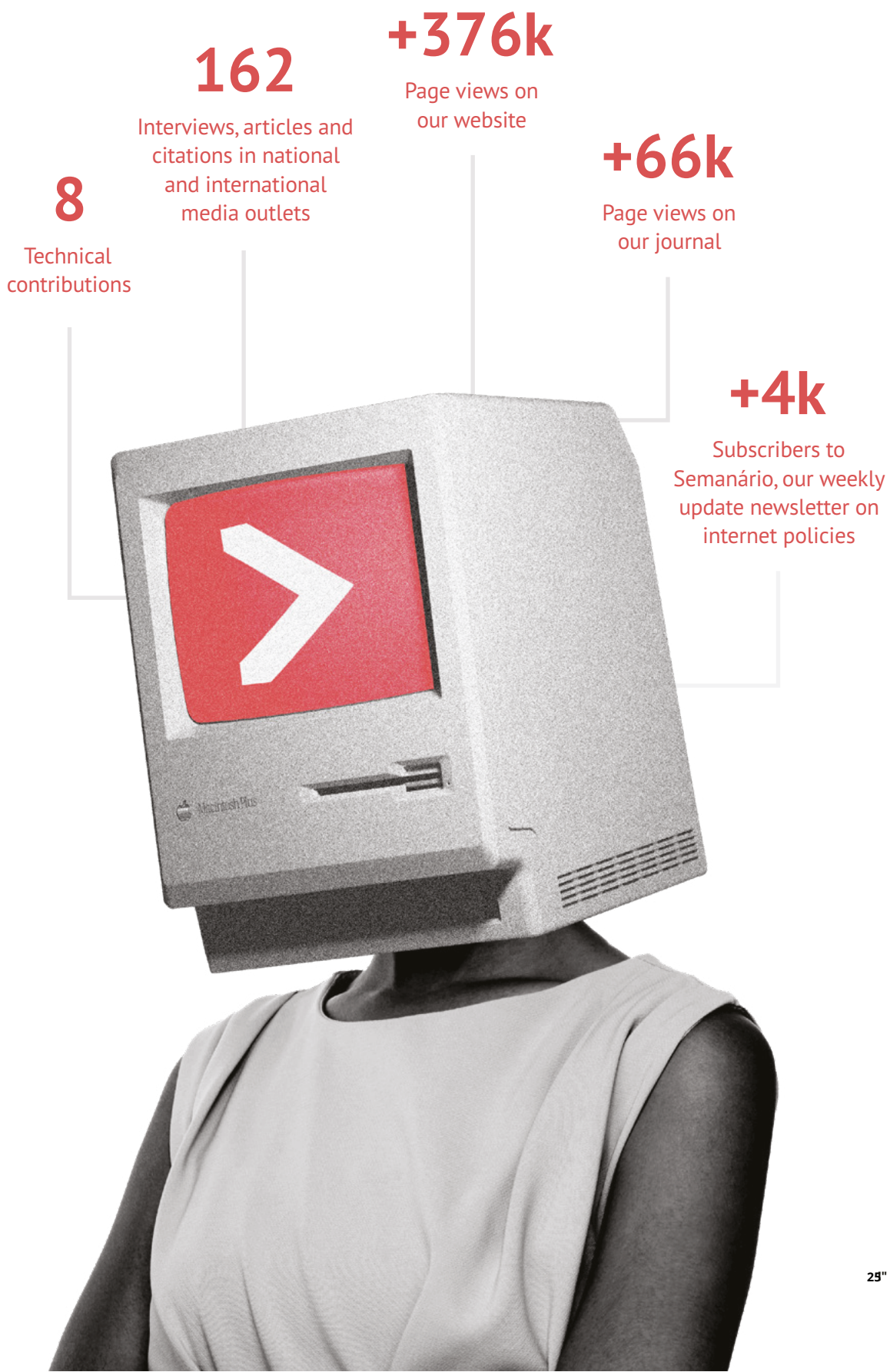
INTERNETLAB IN 2021

The year 2021 brought about a number of new challenges and perspectives for the field of internet policy. For InternetLab, it also meant strengthening its mission to act as a point of articulation for academics and representatives of public, private and civil society sectors.

This year, we strengthened our exchanges and ties with civil society organizations, especially with the internet policy community. Preceding a challenging election year, in 2021 there were two regulatory processes of great importance for this community: first, the discussion of a new electoral code, whose project provided for a series of new rules on online campaigns and on protection of personal data; second, the "Fake News Bill", understood as the Brazilian process of regulating large digital platforms. In both cases, we were side by side with **Coalizão Direitos na Rede**, composed of more than forty Brazilian entities.

We understand that the construction of effective and innovative political-regulatory alternatives involves not only a process of rooting, with constant exchanges with civil society organizations, but also the construction of spaces for dialogue and exchange among researchers, managers and decision makers, whether in the public or private sector. In 2021, we continued our work on the subject of data protection and elections, and produced, along with academic and civil society organizations, a **report with recommendations for the current Brazilian scenario**. The document was published at the **Seminar on Protection of Personal Data and Elections**, which opened a space for conversations and exchanges of civil society actors and representatives of institutions such as the Superior Electoral Court and the National Authority for the Protection of Personal Data. In the field of freedom of expression and content moderation, we participated in a series of public consultations opened by the Facebook Oversight Committee (**1** and **2**), submitting contributions based on research and diagnostics, thus seeking to build effective exchange channels with the private sector.

We believe that this construction of political-regulatory alternatives depends on the production of research and on the construction of solid intellectual bases for the creation of public policies related to the Internet. This is one of the main missions of InternetLab. In 2021, we deepened the dialogue with institutions through participation and organization of events, development of partnerships and an intense academic production by our team. With the University of São Paulo, we held the **V International Congress on Fundamental Rights and Criminal Procedure in the Digital Era**. With researchers from Federal Universities, we formalized **research projects** to map and understand ecosystems of disinformation in social media. With Wikimedia, we opened a postdoctoral position on knowledge equity. Finally, we continued with the activities of the **journal Internet&Society**, releasing two issues in 2021.

INTERNETLAB IN NUMBERS

8

Technical contributions

162

Interviews, articles and citations in national and international media outlets

+376k

Page views on our website

+66k

Page views on our journal

+4k

Subscribers to Semanário, our weekly update newsletter on internet policies

THE PRESS

Director Francisco Brito Cruz participated in the news program "Me Explica, Vai", on TV Cultura, talking about digital traces.

OPINIÃO • BÁRBARA LIBÓRIO, FERNANDA K. MARTINS E MARIANA VALENTE

Violência online é obstáculo à participação política das mulheres

Pesquisa revela série de ataques discriminatórios nas eleições de 2020

In an article for the newspaper Folha de São Paulo, Mariana Valente, director at InternetLab, Fernanda Martins, head of Inequalities and Identities, and Bárbara Libório, journalist at AzMina Magazine, talk about the impacts of gender violence on the participation of women in Brazilian politics, based on an analysis of the report of MonitorA - Observatory of political violence.

In an article published on the website of the magazine Quatro Cinco Um, director Mariana Valente analyzes the 'fake news' bill in Brazil and discusses similar initiatives around the world.

Laut | Liberdade e Autoritarismo

Antídoto ou veneno?

Liberdade, responsabilidade e transparência: um balanço do PL das 'fake news' no Brasil e das iniciativas similares pelo mundo

Mariana Valente
01fev2021 02h00 (04fev2021 12h06)

Ilustração de Veridiana Scarpelli

A suspensão de Donald Trump no Twitter e o dilema das redes; ouça podcast

Banimento do presidente dos EUA pela rede social reacende debate sobre liberdade de expressão e regulação de plataformas de internet

In the episode "Trump banned and the network dilemma" of the podcast Café da Manhã, from the newspaper Folha de S.Paulo, director Francisco Brito Cruz analyzes the limits and complexities of freedom of expression and content moderation on social media, based on Trump's banishment.

MAIN
RELEASES

JOURNAL INTERNET&SOCIETY

Academic publication organized by InternetLab featuring articles, reviews, translations and artistic production. The journal aims to take further academic debates and to address the multiple dimensions between internet and society.
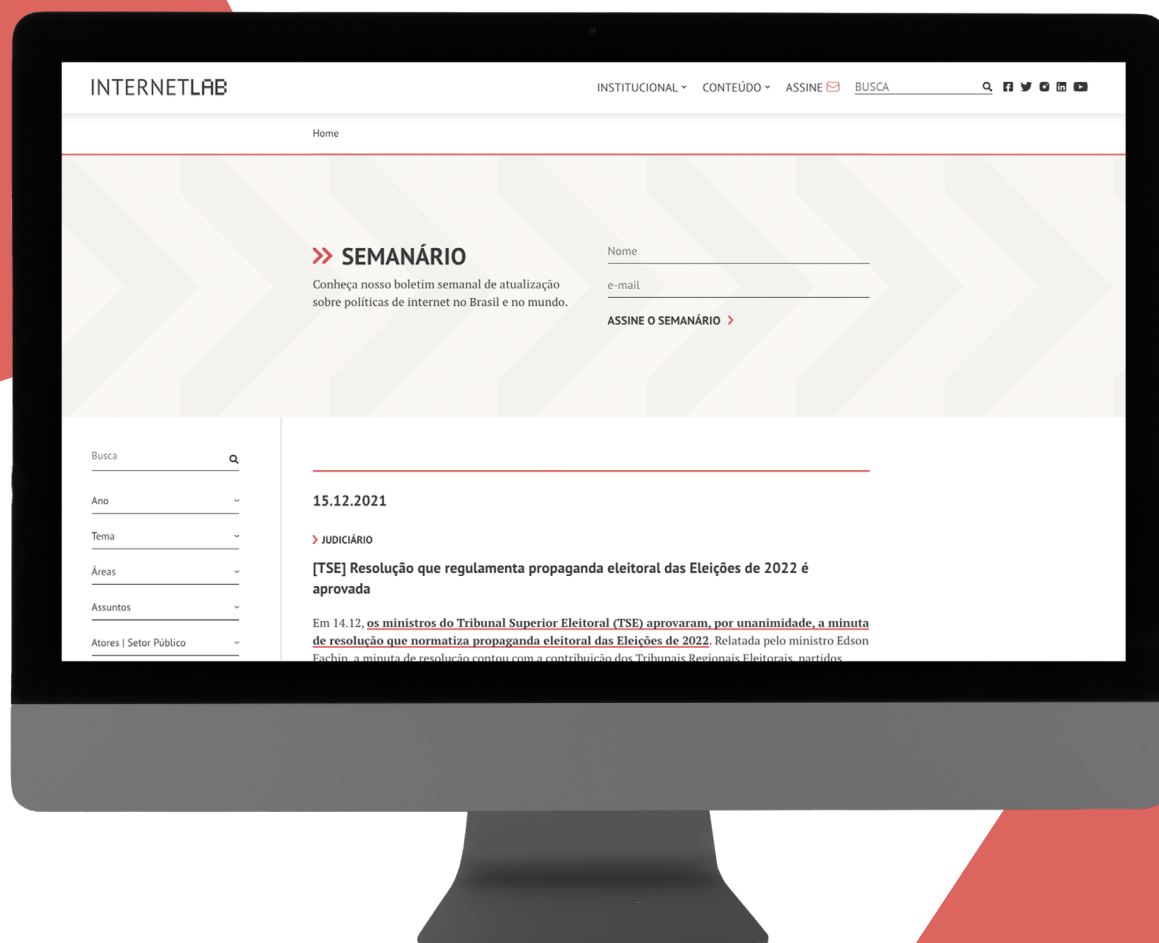**Access the link**.

The first edition of 2021 was marked by three main trends: the consolidation of discussions on internet and society, the intersection between technology and the pandemic, and the concern with issues involving political communication and post truth. This last trend is reflected in the journal's most accessed article in 2021: "The phenomenon of fake news: definition, combat and context".

On the second edition of 2021, we presented a set of articles relating data governance and certain social markers of difference, especially in the emergence of artificial intelligence technologies.

NEWSLETTER SEMANÁRIO

Our weekly newsletter about updates on internet policies in Brazil and worldwide. In 2021, there were 45 editions, 33,000 views, 4,700 clicks and more than 4,000 subscribers. This year, we continue working to offer the main updates on the subject to the various sectors interested or working with internet policies. **Sign up.**

OUR
STRUCTURE

TRANSPARENCY AND GOVERNANCE

2021 was a year of redesigning InternetLab's governance. If, in 2020, we took care of our internal policies, such as *conflict of interest* and *relationship with funders*, the following year was dedicated to strengthening the organization's decision-making infrastructure and laying the foundations of sustainable governance aligned with the best practices of the third sector. In short, we worked to rebuild the following aspects:

A new General Assembly: InternetLab is organized as a non-profit association; the body that elects the executive board and makes strategic decisions is the General Assembly of Associates. In synthesis, our General Assembly resembles other organization's "deliberative boards" or "boards of trustees". From 2021 onwards, the former members (Francisco Brito Cruz and Mariana Valente) will take part on this group along with three other relevant names in the field of discussions on technology and society, composing a majority of professionals who are not engaged on management positions at InternetLab.

João Brant is a researcher and consultant in communication and culture policies, a managing partner of Ponteio and the director of Instituto Cultura e Democracia. In addition, he is the general coordinator at *desinformante.

Silvana Bahia is Project Director at Olabi, an organization that works for the democratization of technology. Through Olabi, she idealized PretaLab, a project for the inclusion of black and indigenous women in technology. She holds a Master's Degree in Culture and Territorialities at Universidade Federal Fluminense and is the Director of Communications of the film Kbela.

Laura Schertel holds a summa cum laude PhD in Private Law at Humboldt University of Berlin, and is an adjunct professor of Civil Law at the University of Brasília (UnB) and at Instituto Brasiliense de Direito Público (IDP). She is the author of the book "Privacidade, proteção de dados e defesa do consumidor: linhas gerais de um novo direito fundamental" (Privacy, data protection and consumer protection: outlines of a new fundamental right).

These five members will choose the organization's executive board for the three-year terms, as well as approve nominations for other board positions. With them, the association begins to incorporate more visions and enters a new phase of greater stability and resilience to changes in leadership
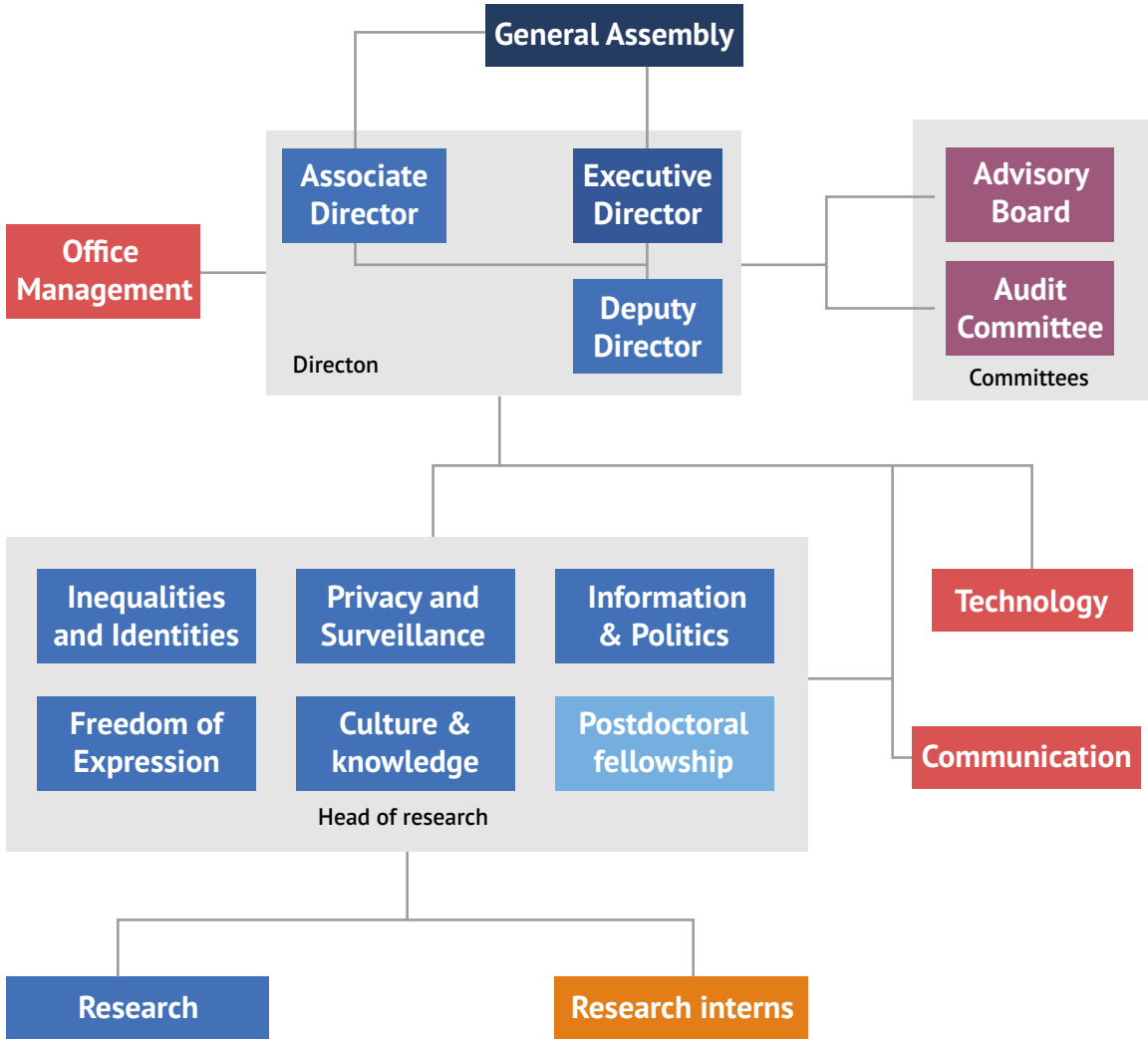
A new board of directors: once renewed, the General Assembly also restructured Internet-Lab's board of directors in 2021. Previously operated in duo by Mariana Valente and Francisco Brito Cruz, the new Board of Directors aggregated new names and divided functions, as explained below:

Francisco Brito Cruz (former Director) takes on the position of Executive Director, being responsible for the appointment of other positions on the board and for the organization's general coordination and institutional representation.

Mariana Valente (former Director) becomes Associate Director, taking on functions of research supervision and internationalization. In 2021, Mariana Valente took hold of a position of professor at the University of Saint Gallen, teaching about regulation of new technologies and human rights.

Fernanda K. Martins and **Heloisa Massaro** (former heads of research at InternetLab) become Directors and take positions of representation and management of the organization, in addition to continuing the supervision of research projects.

By taking these steps, we hope that InternetLab will move towards its institutional consolidation, taking further the trajectory of the individuals who have brought it this far. With these changes, the organization approved a new institutional organizational chart, presented below.

General Assembly

Associate Director

Executive Director

Deputy Director

Office Management

Directon

Advisory Board

Audit Committee

Committees

Inequalities and Identities

Privacy and Surveillance

Information & Politics

Freedom of Expression

Culture & knowledge

Postdoctoral fellowship

Head of research

Technology

Communication

Research

Research interns

FUNDING AND PARTNERSHIPS

Established as a non-profit organization, InternetLab works as a point of articulation for academics and representatives of public, private and civil society sectors, encouraging the development of projects that address the challenges of designing and implementing public policies in new technologies, such as privacy, freedom of expression and issues related to gender, ethnic-racial relations and other identities.

We support public debate through knowledge production. InternetLab does not work as a consulting or law firm – we provide services that are aligned to our mission: to conduct research in the field of law and technology, focusing on influencing public policies.

In our work, we often count on partnerships with other organizations, always seeking to find points of convergence, affinity and compatibility to develop joint actions. We believe that partnerships work well when organizations share common references and are able to cooperate and split roles in complex works and projects. In 2021, InternetLab renewed alliances formed over time, but also established important new co-operations.

Institutional Funding

Ford Foundation

Luminate

Open Society Foundations

Google

Project Funding

International Development Research Centre

Universidade de Palermo

Facebook

National Endowment for Democracy

Cyrilla

Fundação Arcadia

Columbia University

Global Partners Digital

Wikimedia

Project Partners

IT for Change

Electronic Frontier Foundation

Centro de Estudios en Libertad de Expresión y Acceso a la Información (CELE) - Universidade de Palermo

Redes Cordiais

Rede Conhecimento Social

Revista Azmina

LAPIN - Laboratório de Políticas de Internet

AWO Agency

Intervozes

Faculdade de Direito da Universidade de São Paulo

Instituto Brasileiro de Estudos e Apoio Comunitário - IBEAC

Global Partners Digital

Universidade Federal da Bahia

Universidade Federal de Santa Catarina

Instituto Vero

Artigo 19

Fundación Karisma (Colombia)

Open Future

Núcleo de Pesquisa em Direitos Fundamentais, Relações Privadas e Políticas Públicas (NUREP)

Instituto Brasileiro de Direitos Autorais (IBDAutoral)

American University

Hiperderecho (Peru)

DatySoc (Uruguai)

Derechos Digitales (Chile)

Fundación Via Libre (Argentina)

Privacy International

National Democratic Institute
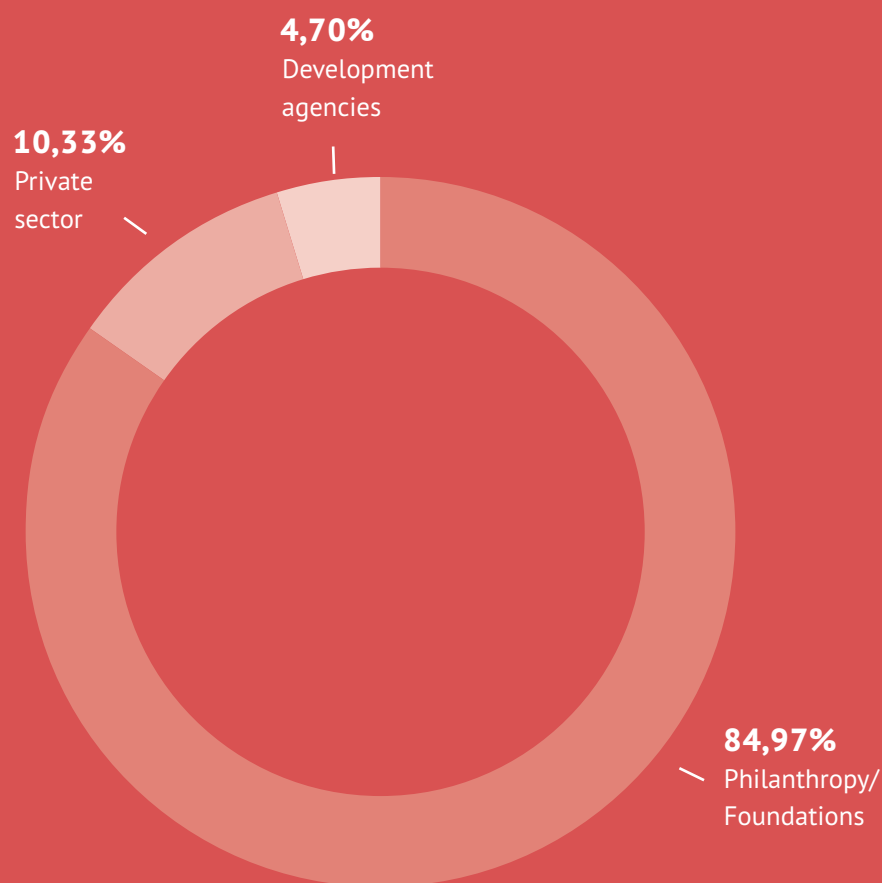
Networks and coalitions in which we participate

Creative Commons

Network of Centers

AL SUR

Aliança por Algoritmos Inclusivos - AI+

Coalizão Direitos na Rede

Grupo de Estudos em Proteção de Dados e Eleições

Just Net Coalition

The funding of our activities comes from philanthropic foundations, third sector organizations, companies and international development agencies. In all these cases, we apply a policy for relationship with funders. This policy is intended to promote independence, autonomy, transparency, academic freedom and freedom of expression, plurality of opinions, encouragement of diversity and defense of ethics in academic research.

In order to promote such values, our policy bars certain kinds of financings, such as those requiring involvement with political-party activities or that can reasonably be considered as favoring private interest in conflict with public interest. In addition, the policy establishes a prior process of verification of suitability, that can be used by the organization to analyze whether a new funding is compatible with these criteria and values. For large funding, this prior verification process is mandatory and must involve InternetLab's Audit Committee.

4,70%
Development agencies

10,33%
Private sector

84,97%
Philanthropy/ Foundations

WHAT HAVE WE SPENT ON IN 2021?

In a year in which the pandemic drastically restricted events and travel, our largest investment was in research activities, especially contemplating the remuneration of researchers and partners for producing different kinds of materials. In the year 2021, there was an increase in the amount of resources allocated to partners in research projects, which reached more than 20% of the budget execution for this year.

Research
Paying researchers, partners and research consultants

75,8%

Communications
Staff and suppliers (e.g. graphic design and audiovisual production)

7,8%

Infrastructure
Staff, accountants and fixed expenses (rent and utilities)

9,7%

Events
Expenses for events for staff and the public

0,3%

Representation
Travel, per diems and other representation expenses

0,9%

Taxes

5,5%

OUR TEAM

InternetLab reiterates its affirmative action policies, seeking constant promotion of diversity in our team. In 2020, we formalized the guidelines for diversity and inclusion in our internal policies; in 2021, we put these policies into practice, reaching the end of the year with the best diversity markers we have had so far. 2021 was also the year in which we were able to amplify racial diversity in our direction and governance bodies.

We understand these achievements as a result of a lasting and vigilant work that has accompanied the organization in recent years. This way, we understand the promotion of diversity as an improvement of the conditions of permanence and encouragement of professionals. Thus, in our internal policies, non-white professionals with institutional representation roles benefit from English lessons to enhance their skills. This policy is important because English is not a commonly spoken language by historically marginalized populations in Brazil.

Finally, 2021 was a year of commitment to the training of professionals within the organization, aiming at promoting the internal mobility of new leaders born in our research environment. Even with the limits imposed by the organization's small size, we understand that committing to our team is a safe way to train leaders in a field of high specialization, such as internet policies.

> *2021 was a year of commitment to the training of professionals within the organization, aiming at promoting the internal mobility of new leaders born in our research environment*

INTERNETLAB

STAFF

Board of Directors

Francisco Brito Cruz
Mariana Valente

Team involved in 2021 activities

Alessandra Gomes | Tech Fellow
André Houang | Researcher
Artur Péricles | Head of Freedom of Expression
Barbara Simão | Head of Privacy and Surveillance
Blenda Santos | Researcher
Catharina Pereira | Research Intern
Clarice Tavares | Researcher
Enrico Roberto | Researcher
Ester Borges | Researcher
Fernanda Martins | Head of Inequalities and Identities
Heloisa Massaro | Head of Information and Politics
Jade Becari | Researcher
Juliana Fonteles | Researcher
Karina Oliveira | Head of Communication
Laís Denúbila | Head of Administrative and Financial Affairs
Luiz Fernando Sabino | Assistance to Directors, Office Management
Nathalie Fragoso | Head of Privacy and Surveillance

Advisory Board

Beatriz Cardoso
Carolina Rossini
Diogo R. Coutinho
Jefferson Nascimento
José Eduardo de Oliveira Faria
Marcel Leonardi
Paulo Rená
Taís Gasparian

Audit Committee

Adriana de Moraes Vojvodic
Aline Viotto Gomes
Benjamin Mariotti Feldmann