

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
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PERU

HAVE THE PRIORITIES OF DIGITAL RIGHTS ORGANISATIONS CHANGED IN PERU?



Independent

Carlos Guerrero Argote

Introduction

This report considers the impact of the COVID-19 pandemic on the advocacy priorities of digital rights organisations in Peru. First, it presents the changes produced by the deployment of different technologies between 2020 and 2021, as well as their effects on digital rights. The report then analyses how these changes affected the organisations and their advocacy agendas. Finally, some conclusions and recommendations are proposed.

It finds that although the pandemic has strengthened networks of actors working on digital rights, and virtual work has increased the workload and fatigue of activists, the pandemic does not appear to have impacted significantly on the longer-term advocacy agendas of digital rights organisations working in Peru.

Background

In March 2022, it will be two years since the Peruvian government first declared a state of emergency, a few days after the first case of COVID-19 was confirmed in the country.¹ Many things have happened over these two years. Regarding digital rights, Peru has seen a rise in the widespread use of different technologies with an impact on privacy and other human rights, promoted by both public and private sector actors. In many of these cases, the impact has been more negative than positive and has put at risk the people it was intended to benefit, very often without consequences.

It is possible to identify some patterns in the deployment of these technologies. Initially most of them were focused almost exclusively on addressing problems related to the spread of COVID-19. Here we can point out, for example, the development of the so-called “corona apps”. In April 2020, the Presidency of the Council of Ministers announced the launch of a contact-tracing application called *Perú En Tus*

Manos (“Peru in Your Hands”),² which came to be criticised for its lack of effectiveness and transparency in design and use of personal data.³

Then, when the health measures implemented in the country forced the digitalisation of in-person activities, multiple remote control and surveillance technologies began to proliferate, mainly in the workplace and education environments. In 2021, a regional study was published on the impact on privacy of e-proctoring, a surveillance technology that uses facial recognition and artificial intelligence to prevent impersonation and plagiarism during student evaluations. The study found that at least 20 Peruvian universities had used e-proctoring software and in at least one case a security breach of personal data was identified.⁴

While digital rights organisations in Peru had to face the challenge of dealing with these new threats, they also had to adapt their own internal processes because of the COVID-19 outbreak. Although by the time of writing this report, all kinds of reports and policy papers have been published on the status of digital rights in the Latin American region, very few consider whether there have been changes in agendas and projects taken on by digital rights organisations, something that could affect their advocacy plans and funding priorities in the coming years.⁵

New threats, work overload, but few changes in priorities

In order to learn more about their internal changes, we conducted semi-structured interviews with

1 Diario La República. (2020, 16 March). Gobierno declaró estado de emergencia por coronavirus en Perú. <https://larepublica.pe/politica/2020/03/16/coronavirus-peru-martin-vizcarra-declara-estado-de-emergencia-nacional-por-30-dias>

2 Presidencia del Consejo de Ministros. (2020, 3 April). Gobierno implementa aplicativo para identificar situaciones de riesgo y detener cadena de contagio por COVID19. *Gob.pe*. <https://www.gob.pe/institucion/pcm/noticias/111820-gobierno-implementa-aplicativo-para-identificar-situaciones-de-riesgo-y-detener-cadena-de-contagio-por-covid19>

3 Morachimo, M. (2020, 8 June). Aplicación “Perú en tus manos” sigue dejando más preguntas que respuestas dos meses después. *Hiperderecho*. <https://hiperderecho.org/2020/06/aplicacion-peru-en-tus-manos-sigue-dejando-mas-preguntas-que-respuestas-dos-meses-despues>

4 Guerrero Argote, C. (2021). *¿Vigilados en la escuela?: Impacto en la privacidad a partir del uso de tecnologías de e-proctoring en la región de Latinoamérica*. <https://descargas.lacnic.net/lideres/carlos-guerrero/carlos-guerrero-informe.pdf>

5 Recently, The Engine Room, a non-profit organisation, published *Strengthening intersectional approaches to data and digital rights advocacy during the pandemic*, a report that contains just such information. See: <https://www.theengineroom.org/wp-content/uploads/2022/01/DDR-Report-26-02-22.pdf>

three digital rights organisations: Centro de Estudios en Gobernanza de Internet,⁶ Hiperderecho⁷ and Instituto para la Sociedad de la Información y Cuarta Revolución Industrial (ISICRI).⁸ All of them have been working on issues related to the local digital ecosystem in the last two years. We also analysed organisations that we were not able to interview, but whose work allows us to glimpse changes in their activities.

The new (old) normal: Corona apps and fake news

Something common to the interviewed organisations seems to be the fact that the sudden imposition of remote work did not imply a drastic change in the development of their activities, at least in the short term. This was due to several factors, including: their high level of technology adoption, previous teleworking experiences, and the small size of their teams.⁹ On top of this, there was the fact that most of these teams lived in Lima (the capital city), where the greatest connectivity coverage is concentrated.

For this reason, it is not surprising that the reaction of these organisations to the appearance of technologies such as the corona apps and their negative impact on privacy has been well coordinated and in line with previous work, especially in the field of surveillance technologies deployed by governments. For example, Hiperderecho monitored the Perú En Tus Manos application and other tools throughout 2020 and 2021, through its “COVID-1984”¹⁰ website, and without any additional funding.¹¹ Meanwhile, Democracia y Desarrollo Internacional (D&D Internacional), a non-profit that works on issues related to digital democracy, and with experience in research and advocacy actions on “fake news” during elections, did not seem to have had a problem adapting its work to advocacy on fake news related to COVID-19.¹²

This situation seems to have been similar elsewhere in the region. For example, regional reports produced by the non-profit Derechos Digitales¹³ and

the Al Sur coalition¹⁴ also focused on the surveillance technologies used during the pandemic.

The rise of private surveillance

Alongside the increase in virtual work and life came one of the biggest changes in the digital rights landscape: the growth in the use of private surveillance technology. Although they existed before the pandemic, with the arrival of COVID-19 there was a massive demand for these tools, especially for remote surveillance of workers, the invigilation or proctoring of online exams, and parental control. The response to this new situation seems to have been more limited than in the case of known threats. There were only two advocacy research initiatives focusing on this area in Peru – one in 2020 by Derechos Digitales¹⁵ and another in 2021, which ISICRI participated in.¹⁶ Both considered the impact on privacy of the use of e-proctoring in the country, and in both cases the initiatives were financed by the *Fondo de Respuesta Rápida para la Protección de Derechos Digitales en América Latina* (Rapid Response Fund for the Protection of Digital Rights in Latin America), an emergency funding programme created by Ford Foundation and managed by Derechos Digitales.¹⁷

Was the little attention given to private surveillance due to a lack of interest? Or perhaps a question of resources? Although it is not possible to point out one or several causes for this lack of response by digital rights organisations, when asked about the dangers of the rise of private surveillance, the organisations we interviewed indicated that although they considered these issues to be important, they did not plan to include them in their 2022 advocacy agendas. This was due in part to the prioritisation of other projects, but also due to the perception that these topics did not align with the work of their local and regional partners and potential funders.

Increased workload and new partnerships

Despite being more prepared for remote work, as the pandemic progressed, the organisations we interviewed said they felt the wear and tear that was

6 <https://www.facebook.com/CGIUSMP>

7 <https://hiperderecho.org>

8 <https://www.isicri.edu.pe>

9 At the time of the interviews, all the organisations had fewer than 10 workers.

10 A tribute to the book *1984* by George Orwell.

11 <https://hiperderecho.org/covid1984>

12 Ford, E., & Weck, W. (Eds.) (2020). *Internet and the pandemic in the Americas: The first health crisis of the digital era*. <https://democraciadigital.pe/sites/default/files/libro-internet-and-the-pandemic-in-the-americas.pdf>

13 Canales, M. (2020). *La herejía techno-optimista florece en pandemia: Un repaso crítico a las tecnologías disponibles*. Derechos Digitales. <https://www.derechosdigitales.org/wp-content/uploads/herejia-techno-optimista.pdf>

14 Al Sur. (2021). *Informe Observatorio Covid-19 del Consorcio Al Sur: Un análisis crítico de las tecnologías desplegadas en América Latina contra la pandemia*. <https://www.alsur.lat/sites/default/files/2021-06/Informe%20Observatorio%20Covid-19%20del%20Consorcio%20Al%20Sur%282%29.pdf>

15 Derechos Digitales. (2020, 28 October). Perú: cuestionamientos por uso de reconocimiento facial en admisión universitaria. <https://reconocimientofacial.info/peru-uso-de-reconocimiento-facial-en-examen-de-admision-a-universidad-publica-genera-cuestionamientos>

16 <https://www.isicri.edu.pe/proyectos1/ni-un-examen-virtual-ms-repensando-el-uso-de-herramientas-de-e-proctoring>

17 https://www.derechosdigitales.org/preguntas-frecuentes-frr/#Que_es_el_FRR

the result of working online, including the difficulty of separating personal life from work. In addition to some internal organisational problems, their workload was increased through a high number of inquiries and requests for support from members of their communities. Hiperderecho and ISICRI commented that sometimes they received daily messages from victims of electronic fraud, identity theft and online gender-based violence.

The increase in cybercrime can be explained in part due to the growth of Peruvian internet usage between 2020 and 2021.¹⁸ At the same time, the problem of serving marginalised communities that did not have internet access and were suffering because of the digital divide persisted. The hosting of meetings, events and workshops and the sharing of content through digital platforms also seems to have affected to some extent the ability of digital rights organisations to meet the objectives of their projects. For example, ISICRI had to reformulate several of its projects in 2021 due to the impossibility of carrying out activities that required in-person participation.

However, not everything seems to have been negative. Along with the increase in internet users, there was also a growth of grassroots organisations that eventually connected with digital rights organisations or funders to work on joint agendas. For example, the FotografxsAutoConvocadxs photography collective¹⁹ joined Hiperderecho in 2021 to develop projects on police surveillance during protests.²⁰ Observatorio de Plataformas,²¹ an initiative that seeks to improve the working conditions of delivery platform workers in Peru, also secured more resources to continue its work thanks to the Friedrich Ebert Foundation.²² In both cases, the connections with these grassroots organisations were made due to their greater presence of on social media.

No major changes in priorities

None of the organisations we interviewed seem to have modified their programmatic agendas in substantive ways. The organisations noted that since

the COVID-19 pandemic, most of their projects had changed, but in general these changes were just minor modifications, including extending deadlines. Instead of entirely new projects, the general practice was to add a “COVID impact analysis component” to old projects, but nothing more. Even in the case of ISICRI, which in 2021 worked on the e-proctoring research, the organisation says it does not contemplate continuing to work on this particular issue in 2022.

The common perception of the organisations we interviewed seems to be that throughout 2020 and 2021, there was a saturation of proposals from civil society related to COVID-19 issues. This would have given rise to a large number of projects focusing on the pandemic, which would have taken up most of the funding available for research and advocacy. With the current remission of the pandemic and the abandonment of the intensive use of certain technologies that were supposed to be risky for digital rights (such as corona apps or private surveillance), it does not seem strategic to continue pushing an agenda that revolves around these issues.

Conclusions

Has the situation presented above occurred only in Peru? Is it a region-wide situation? While all the organisations interviewed agreed that the COVID-19 pandemic has raised awareness of various issues (the digital divide, data protection, online gender-based violence, freedom of expression, etc.), it does not seem that this is translating into a radical transformation of priorities or programmatic agendas.

The question remains whether the lack of interest shown in prioritising emerging problems such as private surveillance is due to a lack of capacity, a difficulty in organisations analysing the potential longer-term impacts of the pandemic on digital rights, evidence that the digital rights landscape has not shifted much, or simply because of a shift in donor agendas. Although the emergency funds mentioned in this article made it possible to carry out actions on these issues, this does not necessarily mean that ordinary sources of funding – and organisations’ advocacy agendas – cannot respond to the new sustained threats to digital rights produced by the pandemic or any other catastrophic event in the future. However, in Peru, and given our limited sample of organisations, it does not appear that they are being used to do this.

While it may be that the longer-term implications of the impact of COVID-19 on digital rights are not yet apparent, it is a concern if this suggests that interventions on COVID-19 were donor-driven,

18 Agencia Andina. (2022, 6 January). Audiencia digital en el Perú lideró crecimiento en América Latina, según estudio. <https://andina.pe/agencia/noticia-audiencia-digital-el-peru-lidero-crecimiento-america-latina-segun-estudio-875761.aspx>

19 <https://www.flickr.com/photos/191780089@No8/albums?fbclid=IwAR1SWCMSPirkKk4J05HgQizABAipRFCmZolcN75vdGeeZAp6MPwnixNwIlg>

20 Hiperderecho. (2021, 21 May). Presentamos: ¿Quién vigila a los vigilantes? <https://hiperderecho.org/2021/05/presentamos-quien-vigila-a-los-vigilantes>

21 <https://opdperu.org>

22 Dinero Martínez, A. (2021). *Delivery y empleo: Diagnóstico sobre las condiciones laborales en las plataformas digitales*. Friedrich-Ebert-Stiftung. <https://library.fes.de/pdf-files/bueros/peru/17952.pdf>

short-term, and did not emerge from an identification of potential new systemic threats to digital rights by the organisations themselves. This suggests that there may be more work necessary in analysing the real implications of the pandemic on digital rights, particularly from a country-specific perspective.

On the other hand, the pandemic does seem to have seen a push towards collaboration between organisations that had not previously had common agendas, especially grassroots movements or activist groups which were not formally organised. This is a positive development, and appears to have been catalysed by the increase in the use of the internet by organisations across Peru during the worst days of the pandemic.

Action steps

The following action steps are recommended for digital rights organisations in Peru:

- *Regional spaces:* Digital rights organisations should support the creation of regional spaces for dialogue among their peers, in order to share experiences and best practices allowing them to improve their ability to react to new threats that are not usually part of their agendas or lines of work. These spaces can also be used to understand better how to deal with the fatigue produced by the new dynamics of remote work, anticipating that the current situation will continue for a few more years.
- *Analysing new threats:* Digital rights organisations should conduct an analysis of new threats arising from the pandemic in order to identify the potential for these threats to persist over time, even after the pandemic is over. This is necessary to properly understand if advocacy priorities need to be rethought, and new strategies developed.
- *Stronger networks:* Digital rights organisations should take advantage of the increase in the use of the internet for interaction and work by organisations involved in different fields, which is still the case, to strengthen their contact with organisations they may not be aware of, including through joint projects and by offering capacity-building support. This would allow stronger advocacy networks to be created that can strengthen digital rights in Peru in the future.
- *Donor fatigue:* Funding organisations should evaluate the success of emergency funds released to respond to COVID-19, including whether or not they may have detracted from the potential of funding longer-term digital rights issues that may have emerged during the pandemic.

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

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