

Newsletter

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Cyber regulation in Latin America and the Caribbean

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UNITED NATIONS

ECLAC



Cyber regulation in Latin America



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The participation of the vast majority of the countries of Latin America in the World Summit on the Information Society, as well as in the eLAC2007, eLAC2010 and eLAC2015 Action Plans, has decisively influenced the development of national harmonized instruments for cyber regulation consistent with the regional context. In addition to these forums, the region's countries participate in international bodies, such as the General Assembly of the United Nations, and take part in the activities of its conferences, commissions and other specialized agencies directly concerned with diverse trade and development issues related to information and communication technologies (ICT), such as the Economic Commission for Latin America and the Caribbean (ECLAC), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Commission on International Trade Law (UNCITRAL), the International Telecommunication Union (ITU), the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO) and the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT).

Furthermore, and in addition to the ratification of multiple bilateral, trilateral and multilateral agreements by many of them, the region's countries participate in other

multinational organizations and forums with specialized committees in these areas, such as the Organisation for Economic Cooperation and Development (OECD), Asia-Pacific Economic Cooperation (APEC), the Latin American Integration Association (ALADI), the Latin American and Caribbean Economic System (SELA) and the Organization of American States (OAS), the latter three being Latin American regional organizations. In addition, the countries participate through their governmental agencies, or through industry, in the technical committees of the above-mentioned organizations, as well as in other global and regional organizations, such as the Internet Corporation for Assigned Names and Numbers (ICANN), the Latin American and Caribbean Internet Address Registry (LACNIC), the Internet Society (ISOC), the International Organization for Standardization (ISO) and the Ibero-American Data Protection Network, to mention a few of the most representative, which have contributed favourably to the development of ICT and electronic commerce in the region.

“The largest strides in harmonization have been made in the area of intellectual property, with the vast majority of the region’s countries having adopted the Agreements administered by WIPO.”

The largest strides in harmonization have been made in the area of intellectual property, with the vast majority of the region's countries having adopted the Agreements administered by WIPO. There

has also been significant progress in the area of electronic transactions, electronic signatures and authentication. For example, in Mexico, Colombia and Guatemala, legislation has been adopted that incorporates the UNCITRAL Model Laws on Electronic Commerce and Electronic Signatures.

There has also been forward movement in the laws and regulations governing online taxation, particularly as relates to the development of public key infrastructure for the administration of digital certificates for fiscal, social security and foreign trade transactions. Countries such as Mexico, Chile, Colombia and Guatemala have made real progress. El Salvador has partially incorporated the UNCITRAL model laws into its fiscal and customs laws, as well as into draft legislation on communications and electronic signatures and on electronic commerce. At the subregional level, special mention should be made of the ratification of the Central America Uniform Customs Code and Implementing Regulations by Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica in their capacity as member countries of the Central American Integration System (SICA), as well as the obligatory ratification of the Customs Code of the Southern Common Market (MERCOSUR) by Argentina, Brazil, Paraguay and Uruguay.

With respect to cybercrime and information security, there are important windows of opportunity in the substantive and procedural laws of the region's countries. Except for the Dominican Republic, which has incorporated the provisions of the Council of Europe's Convention on Cybercrime into its laws, and the efforts of Argentina, Paraguay and Mexico to become signatories to the Convention and participate in the International Multilateral Partnership Against Cyber Threats (IMPACT), an ITU initiative, the other countries' laws, while containing substantive or procedural measures, are incomplete with respect to this instrument, which is the best international cooperation tool for fighting cybercrime as a multijurisdictional phenomenon.

Data protection in the region

The matter of personal data protection has acquired great importance following the recent publication of laws on this

issue in Mexico and Uruguay, as well as legislative advances in Brazil and Colombia. Importantly, the regulatory trend in the region is a strengthening of legal, technological and control measures to ensure that personal data is handled more securely within and between countries. The work done in the



Ibero-American Data Protection Network—in which Argentina, Brazil, the Plurinational State of Bolivia, Chile, Colombia, the Dominican Republic, Ecuador, Mexico, Panama, Paraguay, Peru, Puerto Rico, Uruguay and the Bolivarian Republic of Venezuela participate—has had a positive impact on the development of legislation modelled on the Directives for the Harmonization of Data Protection in the Ibero-American Community, e.g. in Argentina, Mexico and Uruguay.

It should be mentioned that Chile and Mexico have received input from OECD and APEC in the formulation of their public policies and legislation on personal data protection. Peru has received input from APEC too.

Brazil has prepared draft legislation on personal data protection and submitted it for public consultation. As part of this process, a blog that allows the public to make comments on each article of the bill is being used as a tool for civic dialogue. In the case of Colombia, in addition to the Law on Habeas Data (No. 1266), which applies to the financial sector, the National Congress has issued a General Law on Data Protection that is currently under review by the Constitutional Court and once enacted, will serve as a data protection law of general application.

Telework: Is a regulatory framework needed?

Due to the development of information and communication technologies (ICT), the phenomenon of working off site has gone from being an exception to becoming a central theme in the world of labour relations. Moreover, the circumstances under which “distance work” takes place are completely new and unrecognized by the current body of laws and regulations, pointing up the inadequacy of provisions established for the production of objects made “at home” and giving rise to renewed concern for the situation of these workers.

The provision of remote services through the use of ICT, aside from the specific nature of these services, is not a conceptual category or a type of autonomous contractual work, but rather a crosscutting modality that can take place in the context of both autonomous and dependent employment relationships, and it is the latter that have been deemed in need of regulation in Argentina.

Through the Telework Coordination Group, in 2008 the Pilot Programme to Monitor and Promote Telework in Private Enterprise (PROPET) was launched. The first and only programme of its kind in Latin America and the Caribbean, it helps to facilitate the application of telework in a company’s labour relations, providing the framework for legal certainty that firms need. This is accomplished through constant monitoring of the teleworker, his or her new work environment and the remote supervisor, with full respect for the general principles of employment rights.

The regulatory project contains the essential criteria needed to bring the corresponding national laws and regulations in line with the guidelines that have emerged from recently enacted international laws, while serving as the framework for a programme that will enable the State and social actors to find ways to respond to the challenges that ICT development will continue to present in the future, recognizing telework as a useful tool for creating real jobs and consolidating existing employment sources.

The law is essentially based on the public policy governing telework, so the Argentine project has taken into consideration the promotion of equal treatment of teleworkers and other wage workers, particularly with respect to the right to organize, protection against discrimination in employment and occupation, occupational health and safety protection, remuneration, social security protection, access to information, minimum working age and maternity protection.

The project identifies five special aspects, which are also included in the PROPET programme, that apply to this type of work:

- 1) Employer systems for the control of goods and information shall not violate the privacy of the teleworker’s home.
- 2) Allowance for equipment, whether provided or not by the employer.
- 3) The obligations of the teleworker with respect to the proper use of that equipment.
- 4) The reasonable distribution of hours to be worked on site and remotely, to prevent isolation and ensure the participation of teleworkers in union activities, in personal contact with the rest of the on-site workers and in the firm’s promotion policies.
- 5) In the case of transnational arrangements, the law most favourable to the teleworker shall apply.

Lastly, taking into consideration that telework cuts across a range of activities, it is up to the social actors to consider it within their collective agreements, respecting equal treatment for teleworkers and on-site workers, with equal rights for all workers in a dependent employment relationship. The law is not an indispensable condition for this work arrangement to exist, but it does establish rules that guarantee certainty and protection for all.



Viviana Laura Díaz
Coordinator of the
eLAC2015 Telework Group

Dominican Republic: Towards a regulatory framework for telework



Amparo Arango

Technical Coordinator of the National Commission
for the Information and Knowledge Society (CNSIC)

Telework is a work arrangement that has been emerging in the Latin American and Caribbean region in response to the unemployment and economic crisis. This form of work has benefitted from the development of new information and communication technologies (ICT) and the widespread adoption of these technologies by the middle classes. Telework is now an option not only for people with disabilities but also for any worker who wishes to better integrate his or her work and family life, among other reasons.

The Dominican Republic, through the Dominican Telecommunications Institute (INDOTEL), participated alongside eight other countries in the 2009 study “Teletrained: Telework for the labour inclusion of people with disabilities” funded by Canada’s International Development Research Centre (IDRC). The study found that although the country does not have a regulatory framework for telework and telework is not formally covered by Dominican labour law, telework experiences do exist—although they are not very widespread or numerous—among some groups of people with disabilities and at multinational companies linked to the telecommunications sector especially.

The study paved the way at the national and regional level to continue working towards an initiative to promote this type of work arrangement. In 2010 the country was invited to participate in “Telework: public policies and legislative models,” a project aimed at shaping national public policy in the region’s countries to advance and promote pro-telework laws.

As a result of this project, a draft Law for the Promotion and Dissemination of Telework has been introduced by the Dominican Chamber of Deputies’ Telecommunications Committee. Consultations on this bill are presently being conducted with the country’s various economic, labour and governmental sectors. The legislation is important because it would provide the country with a clear, specific set of regulations enabling workers who choose to work in a telework arrangement—whether as own-account workers or employees in a subordinate or dependent relationship—to do so with a full guarantee of their labour rights and the protection of the social security system in effect in the country, which protects workers in subordinate and dependent employment relationships.

The bill also seeks to incentivize a set of public policies to help create an ecosystem in which workers—including those with disabilities—can count on capacity, Internet access, equipment and software, as well as have access to incentives, subsidies, credit and loans for own account workers, among other opportunities. In addition, the legislation provides for the registration and control of the country’s teleworkers by the Ministry of Labour and establishes sanctions in the event that the labour, union and social security rights accorded to teleworkers by law are violated.

If enacted as expected in 2011, this legislation would give the country a modern instrument for promoting, disseminating and regulating telework as a work arrangement for workers in the Dominican Republic, guaranteeing for them a framework of rights, certainty and guarantees within the country’s labour and social security regime. Accordingly, support is being sought from the Dominican Congress and all public and private sector institutions that can help to forge the public policies needed to make telework an option not only so workers can integrate their work and family life, but also so people with disabilities can be productive, perform dignified work with the opportunities now provided by technology, reduce informality and address the lack of labour protections and other disadvantageous conditions that this type of work entails in the absence of due protection. Choosing telework could also contribute to a cleaner environment by reducing vehicular travel, fuel consumption and traffic congestion, among other advantages.

José Clastornik:

“We must give priority to initiatives that create greater synergies between the region’s countries”

The Executive Director of Uruguay’s Agency for the Development of e-Government and the Information and Knowledge Society (AGESIC) also believes that the best practices of other countries should be considered when preparing e-government strategies in the region.

AGESIC is an agency of the Office of the President of the Republic of Uruguay with technical autonomy that seeks to improve the services provided to the public, tapping the opportunities given by information and communication technologies (ICT). Its permanent activities include defining and disseminating rules and regulations on information technology, ensuring enforcement, analysing technology trends, developing ICT projects and advising government institutions on information technology, as well as training and disseminating information on e government and supporting the transformation and transparency of the State.

Its Executive Director, Mr. José Clastornik, discussed in this interview the main achievements that Uruguay has made in the area of e-government and the role of these accomplishments, as well as the importance of developing a regulatory framework to implement it.

Do you believe the regulatory environment is a fundamental pillar to facilitate the development of the information society? Why?

If we look at the development of the information society from a systemic perspective, the regulatory environment constitutes part of the macro conditions, establishing clear rules in the new environment, incentives for its development and safeguards to protect the rights of individuals in the new situations specific to the information society. In the

case of Uruguay, for example, there are four pillars for the development of e-government: digital citizenry, simplification of processes, technology and the legal framework. The regulatory environment falls under the latter.

What are the essential aspects that must be regulated to advance the development of e government?

Above all, the term “to regulate” must be interpreted broadly, which means it should not be restricted to laws and regulations only; rather, other types of guidelines should be generated, such as technical standards, best practices and procedures, etc. In the legal sphere, AGESIC has identified the core issues as access to public information, protection of personal data, electronic signatures and a general framework for e-government that enshrines a citizen’s right to be able to interact with the government by electronic means and the obligation of government entities to work together. Especially important is the creation of an institutional framework, a key factor for bringing sustainability to the public policies shaped by the normative channels described above.

What type of legal authority does AGESIC have?

AGESIC has legal authority to dictate and promote rules on the use of ICT in public administration, which cover different aspects, such as information security, use of information resources by the government, information sharing between public entities, etc.

AGESIC has deconcentrated units with competencies that go beyond the realm of public administration, related to personal data protection, access to public information and electronic certification.

What do you believe are Uruguay's main achievements in this area?

Uruguay has made significant progress in developing its regulatory base to make headway with the information society and e-government. The principal laws and regulations that have been approved since the creation of AGESIC are the Law on Personal Data Protection, which established the right to protection of data that are continually challenged in as much as technological advances are increasing data processing, storage and communication capacities, and created the Personal Data Regulatory and Control Unit, which specializes in this area (URCDP). There is also the Law on Access to Public Information, which develops the concept of transparency of government information and establishes access as a right, improving the quality of the democratic system through citizen control. The law also created the Access to Public Information Unit (UAIP), an agency specializing in enforcing the provisions of the law. Lastly, we have the Law on Electronic Signatures, a key instrument for increasing the flow of electronic transactions through the incorporation of legal certainty and thus, confidence in those transactions. The government has positioned itself as an early promoter of the use of electronic signatures in various public services offered electronically, to generate the critical mass needed for electronic signatures to be used throughout the various sectors of society. The law also creates an institutional presence in the form of the Electronic Signature Unit (UCE), a technical body that regulates electronic certification in the country.



Uruguay has made significant progress in developing its regulatory base to make headway with the information society and e-government

How important has the role of AGESIC been in these achievements?

AGESIC has promoted and coordinated the different initiatives, working interconnectedly, incorporating the actors involved at the different agencies. It has also contributed its technical capacity and resources to prepare and implement the proposed initiatives.

What has been the largest obstacle to overcome in developing rules and regulations for e government in Uruguay?

The main challenges are the creation of infrastructure and generation of capacities, both "multifaceted" concepts: the necessary infrastructure is, simultaneously, of a technological, legal and institutional nature, and the required capacities are cultural, educational, technological and institutional.

Can the best practices of more developed countries in this area be adopted and adapted for our region?

The models and best practices at the international level are a necessary point of reference for developing an e-government strategy. They should be used to prepare comparative charts, in order to take and adapt the models and practices that are most applicable to the national reality. You always learn from the experiences of those who have gone first, both from their successes and their mistakes, and learning from those experiences is an unavoidable journey that we know we have to make, keeping in mind that not all models are transferrable to the reality of our countries.

If there were a critical path for developing rules and regulations for e-government, what would it be?

AGESIC chose to identify a set of laws and regulations conceived complementarily; all address different aspects linked to the development of e-government. Even those that appear to be mutually contradictory are actually complementary, such as the protection of personal data and access to public information. As we see it, the critical path depends on the national realities, for example the relative level of

development of the various regulatory areas, or how critical one or another of these areas is, at a given moment.

What are the regional challenges in terms of ICT rules and regulations that must be tackled?

The global nature of the information society does not recognize borders, so I would give priority to those initiatives that seek to protect people in the use of ICT, such as protection of personal data and cybercrime, and those that help to create greater synergies between the region's countries, boosting trade and economic development, for example the recognition of electronic signatures between countries, and other regulatory instruments for promoting e commerce.

How can we move forward on regulatory harmonization at the regional level, especially with respect to personal data protection, digital signatures and cybercrime?

It is absolutely necessary to appeal to supranational entities and multilateral agreements that meet the conditions of confidence and drawing power needed for the region's countries to join standardization initiatives in these areas.

Interview with Claudio Orrego, Mayor of Peñalolén, on the regulatory framework and e-government:



“The partnership with the European Union has been key”

The municipality of Peñalolén, located in Santiago, Chile, is one of the 10 largest in the country and is very economically diverse. In recent years, it has successfully implemented e-government initiatives that have met with considerable acclaim.

What prompted Peñalolén to implement an e-government model?

First, my conviction about the importance of information and communication technologies (ICT) for government, to improve management, to make it more transparent, to do more with less. When you have scarce resources, you have to find ways to use them to provide more and better services to the community, and when used well, ICT have a democratic potential but also an expression in day-to-day life, as in the case of a municipality where people can feel that the authorities closer, demand accountability, participate in decision-making; the potential is there, and there is much more to do than what we have done so far in Peñalolén.

You have been successful in implementing e-government despite not being among the wealthier municipalities. To what internal factors do you attribute this success?

The vision of the government is very important: when I become mayor of this municipality, there were 40 computers for about 500 officials, there was no online service, so it seemed important to me to work on that and also put it in the strategic development plan. We came up with a realistic plan that allowed us to move ahead with solutions that were technologically innovative but practical and tangible, with benefits for our internal clients—government workers, managers—as well as for the citizens. For example, the first major application that we had was for online vehicle registration. Peñalolén was the first municipality to make it

possible to complete the entire process online, without any paper, an as of yet unequalled application that has allowed us to increase vehicle registration revenue from 300 million to 5 billion Chilean pesos. We have invested a great deal in training, in information literacy. We have trained nearly 22,000 people in the community and all of our municipal government workers.

Does the municipality have some regulatory instrument to implement e-government?

We have a digital policy, we have made strides in practical terms, but we have not created an official municipal document, that is still pending. More than a regulatory document, we have institutional practices to handle these issues. I continue to think that despite everything we have achieved on the digital agenda, our institutional capacity is weak. Even if you externalize and outsource everything, you need good counterparts, and our digital team is still very fragile considering all the responsibilities we have, and that has to do with the municipal procurement law, with the wages we are able to pay, and also with these regulatory policies that you mention.

Have you encountered regulatory obstacles at the national level?

Yes, an interesting thing has been to see how when you start innovating, you begin to realize that the central government ends up being an obstacle in certain matters. In the case of online vehicle registration, there was a

problem with the technical inspection: the law said that you had to submit it in hard copy, so how do you do it online when you have to submit a hard copy. We discovered that the Ministry of Transportation had a database with all the inspection sites online and what was missing were the applications so people could connect and verify their inspection. We obtained funding and helped the Ministry with the application, and it got done. We also worked with the General Treasury of the Republic: in order to make a payment via the Internet, you have to have something other than credit card, because most people in Chile have debit or store-issued cards, not credit cards. The Treasury's rules had to be changed to allow these types of payment. In other words, we have had to push for these changes, so you wonder: Why should one municipality have to foot the cost of something that is going to serve 345 municipalities? At that point you realize that there is a lack of larger vision at the central level. For example, each municipality is developing electronic agendas for its clinics. Why not have one system for the 345 municipalities?

Despite the foregoing, has there been any assistance from the central government to implement or improve e-government in Peñalolén?

I would say that there has been a willingness to provide help when we have asked for it and to accede to some of our specific requests, but we do not have any government funding. In any case, we have sought partners, we have had support from universities, from Canada's IDRC, from the IDB, from companies—we have agreements with companies that have helped us make specific innovations—and of course the European Union, which has already worked with us on two projects. The first had to do with e-commerce. We developed the first e-commerce platform in Peñalolén, called "Peñaservicios," and with Council Online, which was a digital democracy project. At present, we are implementing the "CRESER+: + employment + entrepreneurship = social cohesion" Programme, in which we will train 2,500 people in business and digital skills and jump start the issue of telework, understood as independent work using the Internet. This project has a € 1 million funding from us and € 1 million from the European Union.

How important has the cooperation from the European Union been?

It has been incredible. The bet they have made with us has been that these are not areas of traditional cooperation between Europe and Latin America, but rather areas of innovation, and also that this is a model that can be replicated. Although Peñalolén is one of the 10 largest municipalities in Chile, is it one of the more diverse in terms of per capita income, so we can demonstrate that if it can be done in Peñalolén, it can be done in other places.

In fact, part of our decentralized cooperation agenda is an agreement with 25 municipalities in which we transfer to them, free of cost, the software—when we own it—and know how, for example in the area of telework. In both cases, we are replicating the experience through the channel of cooperation, which the European Union probably could not do without a local partner like us. So, returning to the issue of critical factors for implementation, a fundamental one is these partnerships we have created, such as with the European Union. Since we have not received support from the government, we have had to go out and find it, which has been really crucial.

How can e-government be mainstreamed in the municipalities?

I think that, on the part of the government, by creating funds that encourage local innovation and by promoting what already exists. Because Peñalolén now has many e-government applications, other municipalities are getting funding to be able to replicate them. Also, new applications should be developed, which can be application service providers (ASP), in other words you have a central server that serves the application, for example, to the 250 poorest municipalities in Chile. If we know that there are municipalities that due to scarce resources cannot make these investments, we should create these applications, subsidize them at the central level and then extend them. And in the case of innovation, it should not just be private; rather, the municipalities should be given the opportunity to have funds to innovate.

What stage is Peñalolén at now, what is next on the e-government agenda?

I would say that we are in a period of consolidation: we have to make e-government part of the institutional fabric; it cannot depend solely on the motivations of a mayor. We have to document and regulate many of the things that we already have and establish an explicit, well-defined policy. In addition, we are going to generate an experience of one computer for every child in school in the next year in order to test a pedagogical and technological model that can be scaled up in the future. We are also pursuing a couple of targeted experiences to expand the community-wide wireless access strategy using the WiMAX network. So far we have installed wireless access in government buildings only, and we want to experiment with what it would mean to bring broad wireless service to some more heavily used public spaces, such as the Barrio Cívico area. We are going to hold a referendum again this year. We had the experience two years ago of being able to vote in person and online and we had some security problems, so we are looking for a new application, probably through Facebook, with which we are working to develop a secure application, so people can vote online with confidence.



Gerson Rolim,
Brazilian Electronic
Commerce Coordinator for the
MERCOSUR Digital Project:

“Regulatory incentives are essential for the development of electronic commerce”

The MERCOSUR Digital Project is an international cooperation initiative between the four full members of the MERCOSUR Common Market Group—Argentina, Brazil, Paraguay and Uruguay—and the European Union, which has a budget of € 9,623,600. Its areas of focus are e commerce, ongoing training, SME development and dissemination of information society issues in general, and its objective is to contribute to regional growth and economic integration, promoting the development of e commerce and training in topics related to the information society, working on regulatory harmonization, the implementation of technical infrastructure and knowledge sharing.

MERCOSUR Digital also aims to increase the use of information and communication technologies (ICT) at the decision-making levels of government, companies and civil

society in the MERCOSUR countries, though joint training actions, infrastructure development, training in the area of ICT and e-commerce applications.

Which legal and regulatory aspects of e commerce need to be harmonized in the region?

The main area to harmonize is e commerce and cross-border Internet transactions, that is, anything related to logistics, customs and taxes (import and export duties), generating confidence in the Internet and the protection of personal data.

How will MERCOSUR Digital support the development and harmonization of e commerce laws and regulations in the region?

This project is a very important first step towards the creation of a digital economy in the MERCOSUR bloc of countries. However, this support is based on reports that are delivered to the local governments, which are the ones that should analyse the recommendations and implement them, where possible.

Do you think legal and regulatory incentives are needed for e-commerce to thrive?

Electronic commerce will continue to grow, even without large incentives, and it is now one of the leading job-creation sectors of the economy around the world. So incentives for this sector are certainly welcome. Regulatory incentives are critical: for example, the implementation of cross border e-commerce cannot happen without incentives. It is necessary for regulations to address aspects that support the growth of e-commerce while protecting online consumers. At the same time, it is important that governments should not overregulate the digital economy, a point made by the Internet giants at the e G8 forum—the Internet summit held prior to the 2011 meeting of the G8—who asked the governments to exercise prudence in regulating the Internet. In any case, and despite the foregoing, it is essential for the political powers to play a certain supervisory role in the regulation of security and privacy on the Internet, in those cases in which the public sector has not struck a satisfactory balance on its own.

Is it possible that the project might be expanded to other countries in the region?

Entirely possible, because MERCOSUR Digital is already a success, for having assembled a team of experts from all four countries and successfully completing its tenders in June 2011. To be sure, multilateral actions like this have to be pursued in the region, since cross-border e-commerce needs incentives from governments acting jointly.

News in brief

A cybersecurity plan for the United States

In May, the White House presented a plan to Congress to upgrade the United States' cybersecurity defences, after detecting vulnerabilities to possible attacks that could damage the electricity grid, the financial sector and the transportation networks. In a press release, the United States government explained, "Our critical infrastructure has suffered repeated cyber intrusions, and cybercrime has increased dramatically over the last decade." The proposal by President Barack Obama's administration would overhaul the United States' cyberspace defence policy. "The cyber threat is one of the most serious economic and national security challenges we face," Obama remarked in a press statement. The plan is designed to protect users, national infrastructure and federal government systems, and clarifies penalties for cybercrime, the obligation of companies that have experienced cyberattacks to share information on these problems with the federal authorities and the implementation of a preventive security system. After the June attacks on Google, which was the victim of an attempt to steal the passwords of important Gmail users, the director of the Federal Bureau of Investigation (FBI), Robert Mueller, said his institution will focus in the next two years on fighting cybercrime. "We will increasingly put emphasis on addressing cyber threats in all of their variations," Mueller told the Senate Judiciary Committee. "The cyber intrusions at Google last year, as well as other recent intrusions, highlight the ever present danger from an Internet attack," Mueller said. These threaten to "undermine the integrity of the Internet" and punish companies, he added.

Germany unveils a cybersecurity centre

In line with the precautions that governments around the world are taking in response to repeated security attacks on their information systems, in April 2011 the German government unveiled a national cybersecurity system (NCA) to prevent external attacks on the country's information networks, which Germany's Interior Ministry described as "vital" in a press statement. The NCA will also have the mission of analysing system vulnerabilities, as well as preparing recommendations for the Executive on this matter. "The growing sophistication of the attackers and the methods of attack on the Internet has forced us to strengthen our warning systems," said Cornelia Rogall-Groethe, the federal government's telecommunications supervisor. The centre is a "comprehensive" project that combines public and private initiatives and seeks to ensure that the Internet is "available" at all times and "free and secure" in any type of context. The German government believes the Internet has become a vital infrastructure for the country, "like electricity and water," in the words of Thomas de Maiziere, the former Interior Minister and current Defence Minister.

Australia enacts legislation to fight cybercrime

The Australian government introduced a law in June to fight crimes committed via the Internet and strengthen cooperation with the respective agencies of other countries. "The increasing cyber threat means that no nation alone can effectively overcome this problem and international cooperation is essential," Australian Attorney-General Robert McClelland said, adding that current draft legislation will create the regulatory framework needed for the country to sign the only international agreement in this area: the Council of Europe's Convention on Cybercrime.

The European Union stiffens penalties for cybercrime

After the attacks on the French government in February prior to the meeting of the G-20 finance ministers, on a number of European institutions by cyber pirates before the summit of European leaders in March and on some bank institutions, such as Citigroup, which was the target of a June cyberattack in which information on 200,000 customers was compromised, the countries of the European Union agreed in June to increase and stiffen penalties imposed on perpetrators of cybercrime. The new rules, which must be accepted by the European Parliament, impose prison sentences of at least five years on individuals found guilty of causing serious damage to information systems and tougher penalties for perpetrators of attacks using botnets—networks of infected computers programmed to send spam—and identity theft; in addition, the illegal interception of data will become a criminal offence in the European Union, which will boost police and judicial cooperation by creating a cybercrime unit that could be attached to Europol, the European police agency.

Latest publications



Panorama de la banda ancha en América Latina, 2010

ECLAC.

December 2010. 120 pp.

This paper explores the different aspects that are important for facilitating the deployment of broadband and analyses the policies of the most economically advanced countries, such as the United States, the United Kingdom and others, with respect to the development of broadband and its applicability in the region.



Information Societies in Latin America and the Caribbean. Development of Technologies and Technologies for Development

Peres, Wilson; Hilbert, Martin; editors.

December 2010. 350 pp.

This book analyses the development of information societies in the countries of Latin America and the Caribbean and provides information for public policies on information and communication technologies (ICT) topics.



Aprender y enseñar con las tecnologías de la información y las comunicaciones en América Latina: potenciales beneficios

Sunkel, Guillermo; Trucco, Daniela; Möller, Sebastián.

January 2011. 67 pp.

This paper—the product of ECLAC research, with the support of the European Union, on the incorporation of ICT in education—looks at the advances made in the region in incorporating ICT in the classroom and the outcomes achieved, such as for example whether the countries with the most experience with an ICT in education policy have fulfilled the promise of improving their academic outcomes.



Políticas y prácticas de informática educativa en América Latina y El Caribe

Hinostraza, J. Enrique; Labbé, Christian.

May 2011. 83 pp.

This report presents the findings of a study on policies and practices associated with the incorporation of ICT in education in the countries of Latin America and the Caribbean. The purpose of the study was to identify the degree to which various dimensions of ICT in education policies have been defined and their implementation status.



Global Observatory for eHealth series. Volume 3: mHealth: New horizons for health through mobile technologies

World Health Organization.

June 2011. 112 pp.

Mobile telephones are the most popular communication technology in the world and their use is still on the rise, particularly in developing countries, which provides opportunities for health applications of mobile technologies. This publication includes a series of detailed case studies highlighting best practices in mHealth in different environments.



ICT in Latin America. A microdata analysis

Balboni, Mariana; Rovira, Sebastián;

Vergara, Sebastián; editors.

June 2011. 247 pp.

This book—the final report of the third phase of the ECLAC-IDRC project Observatory for the Information Society in Latin America and the Caribbean (OSILAC)—presents nine econometric articles in two sections: the first provides evidence on the dissemination of ICT in households in seven Latin American countries, and the second presents empirical findings on the impact of ICT on the performance of companies in five countries in the region.

@LIS2 (Alliance for the Information Society, phase 2) is a European Commission programme that supports the development of a sustainable, competitive, innovative and inclusive information society and co finances three projects: ECLAC @LIS2, RedClara and Regulatel.

ECLAC @LIS2, executed by ECLAC, seeks to continue to promote and, at the same time, improve and expand the dialogue and experiences on the information society in Latin America, as well as strengthen political, technical and social ties between the region and Europe in this area.

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