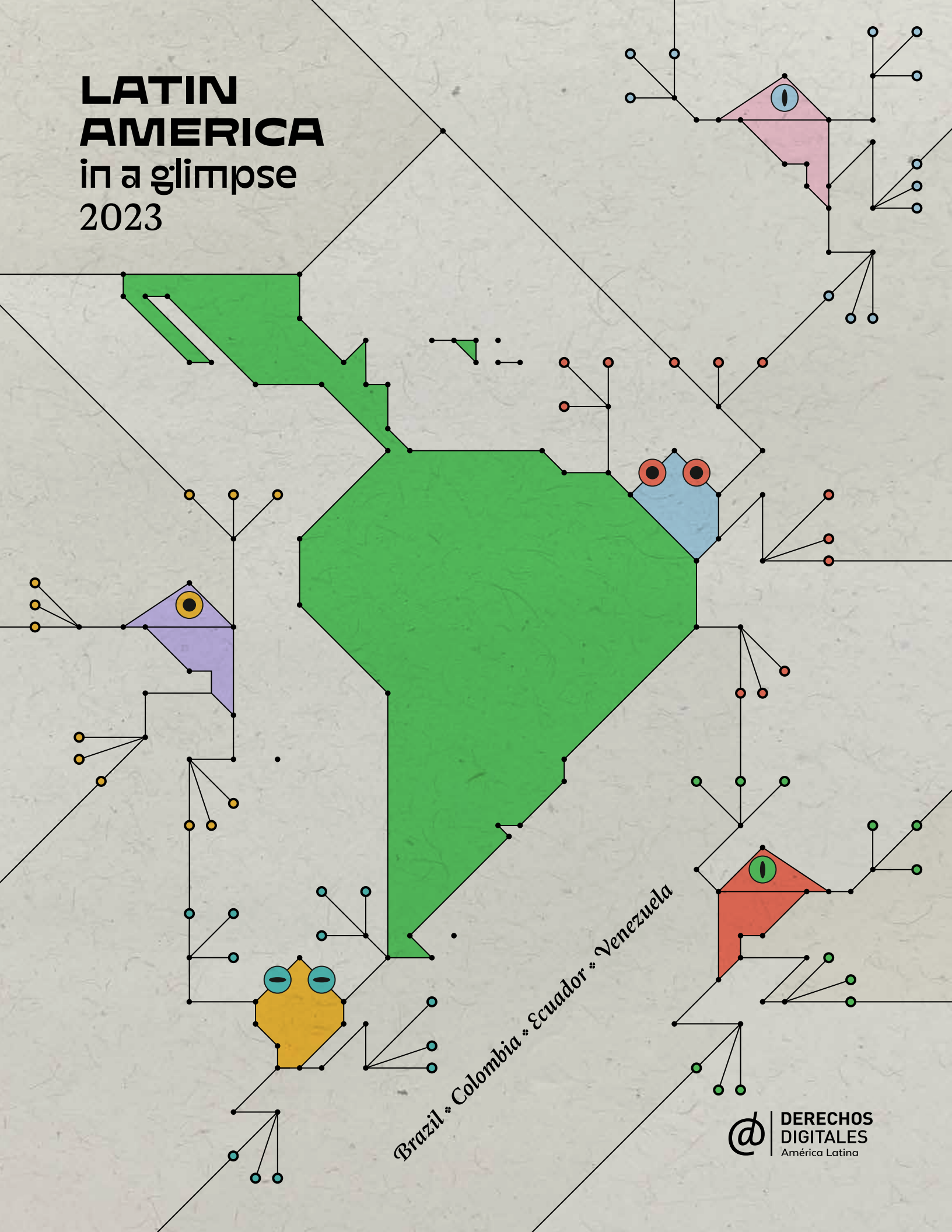


LATIN AMERICA

in a glimpse
2023



Brazil * Colombia * Ecuador * Venezuela

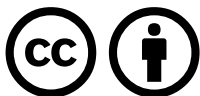
Latin America in a Glimpse

This publication was created by Derechos Digitales, an independent, nonprofit organization, founded in 2005, whose mission is the defense, promotion and development of fundamental rights in digital environments in Latin America.



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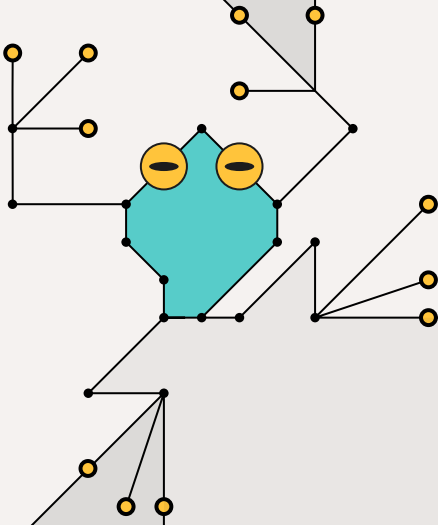
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Introduction



LATIN AMERICA IN A GLIMPSE:

A peek at the gaps shaping our experiences on the internet

Michel Roberto de Souza and Vladimir Garay.

In 2014, we launched the first edition of the *Latin America in a Glimpse* project, a glance at the most relevant discussions about the internet and human rights in Latin America. It was a collaborative effort, proposed as input to the Internet Governance Forum (IGF), which was held that year in Istanbul.

We never suspected that the "Glimpse" would become an important benchmark in Derechos Digitales' annual planning. Even on those occasions when, for different reasons, we have decided to change its publication date, it is always an initiative that we spend time thinking about and for which we feel special affection.

From 2014 to 2020 we published seven editions of *Latin America in a Glimpse*, in collaboration with different individuals and organizations. We have used diverse approaches, seeking ways to take advantage of the flexibility of a title that often feels more like an open possibility than a project with explicitly defined limits (and limitations). However, some elements remain constant: the idea of a regional overview of what is happening at the intersection of technology and human rights, and the desire to use this publication as an excuse to foster closer ties in the region and beyond.

In this eighth edition of *Latin America in a Glimpse*, we have once again changed the way we think of this publication. This time, the report is the result of an open call to Latin American organizations to present research proposals, which were implemented during 2022. The conclusion of this process takes the shape of the document you are currently reading.

There are four investigations, conducted by Latin American organizations working in different countries: **Corporación Cambio Sostenible** of Colombia, **Fundación Openlab** of Ecuador, **Espacio Público** of Venezuela and **MariaLab** of Brazil.

The common theme of the publication is the idea of *gaps*, under a broad definition that evades the fetishism for numbers of connections procured during the last year. None of the investigations proposes exploring the connectivity gap in isolation as a problem in our region, and all report on it as a complex, multifactorial reality that is associated with a series of structural inequities that shape our experiences in digital environments. Factors such as gender, income level and immigration status are part of this equation.

Thus, **Corporación Cambio Sostenible** proposed investigating the difficulties that Venezuelan migrant women in Colombia have in accessing the internet. Using empirical methodologies that approached the Venezuelan migrant women's perception from different angles, the investigation reports on the difficulties in regularizing their documentation, the lack of credit history and even the women's financial dependency on men in their families, which have a negative impact on their possibilities for accessing job opportunities, building support networks and enjoying leisure time.

The **Funcación OpenLab** investigation seeks to better understand the role that social networks, in particular TikTok, play in the promotion of the profitable and deadly business of migrant smuggling. Strengthening transnational responses is one of the goals of the Global Compact for Safe, Orderly and Regular Migration, approved on December 19, 2018 by the United Nations General Assembly. Furthermore, it is a crime in Ecuador punished by up to twenty years in prison. However, the OpenLab investigation shows us that there is still much to do for the adequate protection and aid of migrant men and women, and this is a responsibility that private companies must take on.

For their part, **Espacio Público** analyzes how government and private entities address formal complaints of online gender-based violence against women journalists in Venezuela. The text lays out important elements on the difficulties that women have for filing complaints and accessing justice in a timely manner, even despite the multiple warning calls that international human rights bodies have issued to States and private companies to meet their obligations for the protection of women and women journalists. Mechanisms for investigation must be a priority and must incorporate a gender perspective.

Finally, **MariaLab** studies the effects of "platformization" on the work of human rights organizations in Brazil. Their text provides an important reflection on the concentration of power on the internet, the barriers to developing infrastructure and tools based on open, independent technologies and the need to think about this problem from a collective perspective.

A noteworthy aspect of the investigations compiled here is the use of diverse, innovative methodologies, necessary for approaching complex

problems from diverse angles. Case studies, feminist methodologies, the use of surveys and semi-structured interviews, and use of open-source data are a few of the techniques used that can serve as examples for future investigation exercises on similar topics. We thank the organizations who agreed to participate in this project and everyone who, one way or another, collaborated to bring it to life.

Enjoy your reading!

Colombia

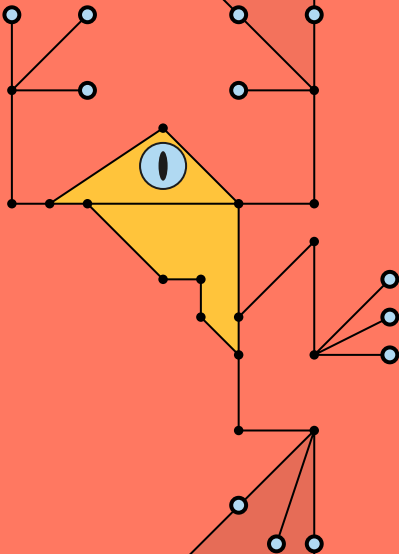
Despite the massification and importance of access to information and communication technologies, many barriers to access still exist in Latin America, particularly for the most vulnerable and historically marginalized groups.

The study on access barriers as a multifactorial phenomenon is of utmost importance, since the relevance of aspects such as gender, age or geographic characteristics are often invisible in those analyses that decide to focus only on the economic dimension.

On this occasion, Corporación Cambio Sostenible has used a feminist methodology to analyze the barriers to internet access that Venezuelan migrant women face in Colombia. Despite the fact that Colombian law guarantees the right to access to information and communication technology, the lack of documents, economic difficulties and credit history are some of the main barriers to effectively exercising this right.

The gap is fueled by and contributes to the perpetuation of a series of basic inequities, which condemn migrant women to a condition of permanent vulnerability, with impact on their prospects for work, schooling and accessing relevant information, as well as affecting their interpersonal relationships and their enjoyment of rest and leisure.

These access barriers are an obstacle to free, autonomous development, as just another extension of a “patriarchal culture that reinforces structures of violence toward women,” sadly so common in our region.



Connectivity access gaps and violence in Internet and telephony use for Venezuelan women living in Colombia

Corporación Cambio Sostenible¹

<https://cambiosostenible.com>

By Kenny Stiven Espinoza Velásquez, Yessenia Moreno Giraldo,
Francisco Javier Rigual Cótua, Nohora Alejandra Vela Cubillos

SUMMARY

The goal of this research was to define the digital gaps and violence that Venezuelan women living in Colombia suffer in terms of the right to connectivity.

Using mixed information gathering (quantitative and qualitative), the research addresses four categories of analysis: a) demographic information and documentation; b) access to devices and services; c) violence and digital security; and d) filing complaints and access to rights.

The idea is to facilitate discussion of the disparities associated with nationality and sex/gender, by studying a form of exclusion that is both product and cause of the subordination of women of Venezuelan nationality on Colombian territory. In this vein and applying a gender, psychosocial and systemic perspective, the main challenges are identified facing the receiving territory, the institutions charged with protecting rights or offering services, the population at large and the women themselves, in relation to decreasing inequities and improving conditions for guaranteeing the acquisition, use and enjoyment of connectivity to a feminist, inclusive telephony and internet.

(1)

Corporación Cambio Sostenible is a non-profit entity with administrative independence promoting sustainable development for social equality.

INTRODUCTION

We understand migration as the action of population displacement in search of a change in habitat, for diverse reasons. The most common include the improvement of social conditions, increase in well-being in the different dimensions of being, increased satisfaction of basic needs and the conservation and protection of life.²

The recent migration of Venezuelans to Colombia began due to a social, political and economic context that degraded the possibilities for subsistence in Venezuela, which resulted in the arrival of millions of men, women, children and adolescents to Colombia in search of a new environment that could enable them to become economically stable and develop skills for recovering their well-being.

In Colombia, shortcomings have been noted in understanding this migration phenomenon, which has created different barriers blocking an adequate response to the need for socioeconomic stabilization and the protection of migrants' exercise of rights. According to Lopez (2019), the rights showing greater deficiencies include access to health, to education, to work and to adequate housing. Although it does not appear as a priority, access to information and communication technologies is one of the rights that is least guaranteed.

Information and communication technologies (ICT)³ have been recognized by the International Telecommunication Union (ITU)⁴ and, nationally, by the Ministry of Information and Communication Technologies (MINTIC)⁵ as an effective instrument for increasing productivity, generating economic growth, creating jobs and promoting employability, as well as for improving quality of life. Under this understanding, the internet and diverse electronic devices have been fundamental in improving conditions for guaranteeing rights, including health, freedom of expression, education, and access to information and communication;⁶ Venezuelan immigrants are one of the populations at greatest disadvantage in access to these tools in Colombia. According to a report by Info Pa'lante, an organization of Venezuelan migrants in Colombia:

Para acceder a servicios de telefonía fija o móvil con plan de datos se exige “Permiso Especial de Permanencia (No en todas las empresas de telefonía admiten el PEP pues tienen reglas más estrictas) o la cédula de extranjería (lo que implica tener visa), con los que demuestras que estás de manera regular en el país” [Accessing fixed or mobile telephony

-
- (2) International Organization for Migration (IOM).
 - (3) Information and communication technologies (ICT) are the set of resources, tools, equipment, computer programs, applications, networks and media that enable the compilation, processing, storage, and sharing of information as: voice, data, text, video and images (Law 1341 of 2009, Article 6, Congress of the Republic of Colombia).
 - (4) The International Telecommunication Union declared the importance of ICTs at the World Society and Information Summit (ITU, 2004, p. 2).
 - (5) The Ministry of Information and Communication Technologies recognizes the use of ICTs as strategic in its National Information and Communication Technologies Plan (MINTIC, 2008, p. 4).
 - (6) According to the United Nations (UN), internet access protects the exercise of fundamental rights. <https://www.oas.org/es/cidh/expresion/showarticle.asp?artID=848>

services with a data plan requires a "Special Permanency Permit [PEP] (not all telephony companies accept the PEP as they have stricter rules) or an Immigration ID card (which entails having a visa), with which you show that you are in the country legally]. (Info Pa'lante, 2021)

In Colombia, Article 7 of Law 1978 of 2019 guarantees access to connectivity and technology as a right.⁷ However, (lack of) documentation and/or nationality is one of the main barriers to exercising this right. Therefore, Venezuelan women migrants are forced into shared use of electronic devices, dependency on others for acquiring internet and telephony access services, and the use of precarious forms of connection, such as the purchase of pre-paid plans for phone calls, internet and text messages.

According to Alvarez and Castro (2020), migrant women, in addition to being threatened, excluded and stigmatized for being women, face the same for being migrants. This is true regardless of their country of origin, their ethnicity, their sexual preferences or their religion. In terms of connectivity, consequences include dependence on links to hegemonic masculinities; lack of time and spaces for the use, benefit and enjoyment of devices and connectivity; and greater inconvenience in access to equipment and the purchase of telephony and internet services at home.

Access to devices and internet connectivity could help Venezuelan women living in Colombia to meet their needs and develop their life plans. However, the acquisition of these services could be an exercise in frustration due to the women's condition as immigrants, potentially leading to different forms of violence, including discrimination, fake job offers, fraud and identity theft, among other violations.

This article reveals perspectives on and analysis of the gaps that Venezuelan migrant women face in access to internet and telephony connectivity, enabling an approach to reality that includes contributions from the participating women vis-à-vis inequities in connectivity and telephony, in terms of nationality and gender.

METHODOLOGICAL APPROACH

The article intends to undertake a situated investigation of the gaps and violence that Venezuelan migrant women living in Colombia go through with regard to the right to connectivity.

Thus it first develops a feminist methodology using the psychosocial approach, which is defined as a proposal for explaining and addressing the situation of people and communities facing contexts of violence (Anaconda, 2014); using a systemic analysis (macro- and micro-systems); facilitating the construction of knowledge based on perspectives that enable the study of inequities; emphasizing the experiences of women and/or feminized bodies; and making it possible to deconstruct sex/gender subordination.

For Flores (2014), feminist methodology is used to change the situation of oppression and exploitation in the world and for raising awareness (of women researchers themselves, of the

(7) The right to communication, information and education and basic ICT services (Law 1978 of 2019, Article 7, Congress of the Republic of Colombia).

people who collaborate in the research and of the people to whom the research is targeted) to transform patriarchal institutions. In this vein, information on the perceptions associated with digital gaps and violence in terms of access, connectivity and/or dependency for internet and telephony was gathered and analyzed using instruments conceived of, constructed and applied based on psychosocial and gender perspectives.

Second, a methodological line of online research methods was implemented (Arias, 2020), using techniques, instruments and on-the-ground actions such as performing interviews in key scenarios of meetings and/or access to services; application of surveys on digital platforms and in person with the target population; activities recording observations in scenarios of Venezuelan women in Colombia; and information provided by key actors, including officials from private telecommunications companies and civil society organizations serving refugee women, migrants and women returned from Venezuela, who provided information for later analysis.⁸

Finally, a methodological line working from mixed methods of gathering and analyzing information was used, based on statistical data (surveys applied on- and off-line), semi-structured interviews, observation and lived experience (field diaries). In this line, a quantitative and qualitative approach of both individual and collective perspectives is generated by Venezuelan migrant women in Colombia, regarding gaps and violence in the use of internet and telephony.

RESULTS

The results are classified in four categories: a) demographic data and documentation; b) access to devices and services; c) digital safety; and d) guaranteeing rights. These categories stem from processing the responses of 300 Venezuelan migrant women living in Colombia, who were interviewed using a survey with approximately 30 questions. The results contributed to gathering information on perceptions of internet and telephony access, connectivity and/or dependency.

In the qualitative realm, different contextual, circumstantial and psychosocial resources were implemented to compile perceptions on the connectivity access gaps and violences in use of the internet and telephony by Venezuelan women living in Colombia. Seven semi-structured interviews were conducted of social organizations, telephony and internet network connectivity service providers, and actors and leaders from cities and towns in Colombia with high levels of settlement by Venezuelan immigrants, such as Bogota, Soacha, Medellin, Sibate, Cali, Barranquilla, and Cucuta. Likewise, observation and information gathering was done in service and participation settings frequented by the target population, such as immigration legalization points and fairs for improving the conditions for migrant women.

Demographics and documentation

This first category provides an overview of the array of women surveyed, as regards their age group, immigration status and length of permanency in the country.

(8) In the interviews, these actors were questioned, which allowed the capture of qualitative results that are described in the section on results from community leaders, civil society organizations serving Venezuelan women, and officials from private companies.

First, of the 300 women surveyed, 48.7% are between 18 and 28 years old; 32.7% are 29 to 35 years old; 18.3% are 36 to 59 years old; and 0.3% are women over 60.⁹ Thus, the data obtained mostly reflect the experience of young women.

Of the Venezuelan migrant women surveyed, 42.7% have been living in Colombia for between 1 to 2 years, while 35% have been in Colombian territory for more than 3 years; 20% have been in the country for between 6 and 12 months; and 0.3% have been in Colombia for less than 6 months.

In terms of documentation, 86% of the women surveyed who have lived in the country for less than 6 months are in the process of obtaining immigration documents. The number reaches 65% for women surveyed who have been in Colombia for more than one year.

The period of permanency in the country is directly related to the immigration legal status that enables access to rights. Of the 300 women surveyed, 57.7% are in the country illegally, contrasted with 42.3% who are in the country legally. Among the causes for the high percentage of women in irregular status who participated in the survey, it was determined that 9.83% do not have current Venezuelan documentation, while the remaining 90.17% are in the process of obtaining the Temporary Protection Permit (*Permiso de Protección Temporal*, PPT).¹⁰

Regarding this category, the results indicate that migrant women living in Colombia are in one of three immigration statuses: irregular, waiting for the end of the regularization process, and regular with current documents issued by the migration authority in Colombia. Unfortunately, according to those interviewed, the last category is the least common, due to the extensive paperwork and extended wait time for obtaining the foreigner's ID, permanency *laissez-passez*¹¹ or the temporary protection permit that is derived from the recent Statute for the Protection of Venezuelan Migrants Living in Colombia.

However, the results of our study show that women who successfully regularize their immigration status likewise face significant barriers in access to goods and services and for the exercise of their fundamental rights. One of the reasons is that there is a lack of knowledge in the country of the different documents that Colombia issues to foreigners, and these do not always appear in lists on electronic platforms offered by providers and companies to guarantee connectivity and telephony, i.e., they are documents that are not recognized as valid for accessing these services.¹²

(9) These ranges are used in accordance with the indications of the Colombian Ministry of Health's Lifetime Moments. Available at: <https://saludata.saludcapital.gov.co/osb/index.php/datos-de-salud/ofertas-de-servicios-de-salud/rias/>

(10) The PPT is an immigration regularization mechanism and identification document that authorizes Venezuelan migrants to remain in Colombia under special immigration legalization conditions with a validity of 10 years (Cancillería de Colombia, 2021, p. 9).

(11) The *laissez passer* or safe conduct is a document of a temporary nature than, under certain circumstances previously defined in migration regulations, is issued by the Colombia Migration Special Administrative Unit to any foreigner who needs it. This document can be one of two types: to exit the country (SC-1) or to remain (SC-2). (Cancillería, 2022, ¶ 1).

(12) Reference is made to both public and private telephony and internet service providers. The listed documents do not appear in online forms, nor have their staff been made aware of these documents and their validity for accessing goods and services.

In addition to the gaps arising from the lack of documentation, the field diaries show that economic difficulties become an additional barrier to acquiring connectivity devices and personal use technology. Relatedly, credit history¹³ is also an economic–patrimonial requirement that most Venezuelan women living in Colombia lack; this hinders the purchase of electronic devices; obtaining telephony and internet plans, virtual wallets, and bank applications; the ability to make online purchases; and the acquisition of other services under the umbrella of connectivity and telephony in their own name.

Access to devices and services

There are various factors associated with sex/gender conditions that intensify inequalities and reinforce gaps in access, dependency and enjoyment of ICTs for Venezuelan migrant women living in Colombia. This simultaneously not only threatens the right to obtain and enjoy these electronic tools and devices, but also jeopardizes another set of rights to types of communication that are more easily exercised with full use of internet and telephone connectivity. These communications would enable the women to be informed of and come closer to well-being in areas such as health, education, work, decent housing, legal services, and prevention of gender-based violence, among others.

The information compiled indicates that 93.3% of women surveyed have a cell phone, 8% have access to computers and only 3% mention using tablets. Of these devices, 71.7% are considered for individual use; 27% are shared use; and 1.3% are devices accessed from residential homes and/or workplaces.

Regarding the ownership of devices and of internet and telephony service contracts, it must be understood that immigration documents define possibilities for Venezuelan women living in Colombia. This would explain why a large percentage of the women in Colombia find it impossible to acquire internet and telephone connectivity services.

When consulted on the issue, 94.7% of women surveyed state that at their place of residence, they do not have internet and phone services in their own name; 96.4% consider they have no possibility of access to registering cell phone equipment, buying data plans, accessing post-payment services, acquiring cellphones or contracting telephone and internet services at home under their own name, using the regularization documents issued in Colombia or the national documents issued in their country of origin. It has been possible for 97.7% to acquire these services thanks to the intermediation of Colombians and other foreigners with legal immigration status who live in Colombia. Among those who accessed devices or connectivity thanks to third-party intermediaries, 84% relied on the intermediation of people of the male sex, while 16% were successful thanks to links with people of the female sex.

It can thus be seen that a majority of Venezuelan migrant women living in Colombia have a relation of dependency in ICT use, based on the intermediation of third parties for acquiring devices and contracting connectivity services. This is usually a man with who they have a close relationship, and this situation is intensified in bi-national families, i.e., families with members who have dual nationality or some member with Colombian nationality (UNHCR, 2018).

(13) Credit history is a record of the behavior that people have had in their financial commitments with financial and business entities in the past. With it, one can acquire in the future diverse properties or access a loan of any type (Bancolombia, 2021).

This impossibility is a crosscutting aspect found with all the women, since by not having ownership of elements such as SIM cards, telephones, computers, internet and connectivity plans in their own name, their interpersonal relationships or support networks with family members, friends and institutional or organizational services of which they are beneficiaries are at risk of losing communication due to events such as theft, mugging or loss.

Violence and digital security

The results indicate that Venezuelan migrant women in Colombia experience a wide range of types of digital violence, understood as that set of practices that reproduce gender-based violence in the physical space, only now in the digital space and based on the use of digital media and tools (Cornejo, 2020). Migrant women are victims of fraud, identity theft and fake job offers, over audio, visual and text messages that point to diverse forms of violence, including physical, psychological, sexual and economic–patrimonial violence.¹⁴

From the qualitative perspective, the women interviewed state that violence and discrimination based on nationality or sex/gender are visible on different digital platforms such as Facebook, Instagram, Twitter, WhatsApp threads, media outlet websites—such as Claudia Palacios's column "Paren de parir" [Stop giving birth]¹⁵—and even official government pages, such as press releases by the leaders of main cities like Bogota, Bucaramanga and Yopal.¹⁶

Twenty per cent (20%) of women surveyed state that they have received discriminatory comments on social media because they are Venezuelan women. Likewise, the failure of government institutions and agencies to implement a monitoring protocol to avoid the existence of these harmful acts is evident, as is their failure to respond with the application of some kind of restriction or penalty on those who commit them. This means they also fail to react to the negative repercussions that these kinds of violence entail, affecting migrant women in both their online and offline lives.

(14) Types of violence are understood in relation to: a) Psychological harm: Consequence stemming from actions or omissions aimed at degrading or controlling the actions, behaviors, beliefs and decisions of other people, using intimidation, manipulation, threats, direct or indirect, humiliation, isolation or any other behavior that entails harm to psychological health, self-determination or personal development. b) Physical harm or suffering: Risk to or decrease in a person's bodily integrity. c) Sexual harm or suffering: Consequences stemming from actions that force a person to maintain sexualized contact, whether physical or verbal, or to participate in other sexual interactions through the use of force, intimidation, coercion, blackmail, bribes, manipulation, threats or any other mechanism negating or limiting personal will. d) Patrimonial harm: Loss, transformation, theft, destruction, withholding or diversion of objects, work tools, personal documents, goods, securities, rights or economic elements targeted to satisfying the woman's needs (Law 1257, 2008, Article 3, Congress of the Republic of Colombia).

(15) Opinion column from the *El Tiempo* newspaper, which contains stigmatizing messages toward Venezuelan women living in Colombia and their decisions to become mothers in the country.

(16) The stigmatizing statements toward Venezuelan migrants by some elected leaders in Colombian cities increased with the Venezuela migration crisis and COVID-19. These messages include ones like that by the ex-mayor of Bucaramanga, Rodolfo Hernandez, who in 2019 said Venezuelan women are factories for producing poor kids, or the sayings of the Mayor of Bogota, Claudia Lopez, who in 2021 declared that for 3 years the people of Bogota, with our taxes, have paid for children's health, kindergarten, school and food and for employment of Venezuelan families.

Sixty-seven per cent (67%) of those surveyed say they are familiar with situations of violence targeting other migrant women, while 41% of women surveyed state they have been victims of fake job offers; however, only 15% say they have chosen to file a complaint.

Among the motives for not reporting the crime, the most significant is unfamiliarity with the procedure, mentioned by 73.9% of women interviewed. In addition, 52.6% state they do not trust the authorities because of their immigration status; 16.6% mention that the decision not to report is due to fear of suffering violence and intimidation; and 9.9% state that they do not want their partner or spouse to find out.

In terms of creating support networks, 68.7% of women surveyed show sorority¹⁷ indicating that they would help another woman file a complaint if she is the victim of digital violence, while 67% state that they would help another Venezuelan woman obtain telephony and internet services if they had a way to do so.

Qualitative results show that the barriers to access to information and communication technologies affect not only the right to connectivity, but also the right to complaint. In fact, the interviews show that barriers to internet access constitute the main motive for the low frequency of using online complaint mechanisms by Venezuelan migrant women living in Colombia.¹⁸ This includes access to guidance, accompaniment and the use of legal mechanisms. Likewise, many women are afraid of guiding and helping other women in complaint processes due to the retaliation that could result against either themselves or the other women; and although they may want to help, they do not know how to do so.

Mixed analysis

Based on the quantitative and qualitative results, a mixed analysis was performed. Given the specificities of each information-gathering method and instrument, this made it possible to bring to light in parallel the similarities in each category studied. These similarities indicate that both the overall rates and the individual perceptions reveal inequality reflected in gaps in connectivity access in the use of internet and telephony, identifying stark nuances of disparity that are decisive in acquiring ICTs and the potential benefits that these tools provide.

Regarding access to devices and internet services, it must be recognized that internet access is considered a pre-condition for exercising basic rights, a tool for development and growth in dignity and quality of life.

According to data compiled by the Universidad del Rosario and the Migration Observatory, only 52% of homes in Colombia have internet access: 61% in municipal capitals and 20.7% in rural areas. These statistics are joined by studies conducted by Colnodo and the World Wide Web Foundation¹⁹

(17) Sorority is a term used to define bonds of solidarity between women and the strengthening of positive links among them.

(18) The low frequency of using complaint mechanisms led, in 2020 at the start of the pandemic, to a Venezuelan woman in Colombia having twice the probability of dying violently, compared to a Colombian woman, according to data from the National Legal Medicine and Forensic Sciences Institute.

(19) World Wide Web Foundation is a US-based non-profit foundation that advocates for a free and open web for all, and together with Colnodo they lead social processes on the strategic use of the internet for development, adapting and evolving according to technological innovations and changes.

(2020) that identify a digital gender gap in meaningful connectivity of 17% in favor of men in Colombia, taking into account access, speed and device type, among other factors. That is, the access gap to which Venezuelan migrant women are subject must be understood in relation to the access gap in Colombia, which affects women much more significantly.

La brecha digital de género es en realidad una enorme brecha social que se sustenta en factores de exclusión como la capacidad económica, la disponibilidad de tiempo, los conocimientos, habilidades y experiencia, el bagaje cultural y lingüístico. Pero, además la tecnología está diseñada por y para hombres, y esto resta protagonismo al papel de las mujeres en su desarrollo y uso. [The digital gender gap is really a huge social gap that is supported by exclusionary factors such as economic ability, time availability, knowledge, skills and experience, as well as cultural and linguistic baggage. However, technology is further designed by and for men, and this undercuts women's featuring role in its development and use]. (Cataño & Vázquez, 2011)

Likewise, it is important to recognize online violence against women as part of the larger context of gender-based discrimination and systemic violence present in both digital and offline environments, producing physical, psychological, sexual and economic harm that affects both individuals and family, social and collective contexts.

The National Gender-based Violence Coordination Space (vsg) (2022)²⁰ reported that in Colombia from January to December 2021, a total of 55,582 cases of gender-based violence were presented on record, representing 34,042 cases of intimate partner physical violence, 21,434 cases of sexual violence and 106 femicides. This reflects a 19% increase in cases compared to 2020.

Up to April 2022 the Ministry of the Interior said there were 139 cases of human trafficking, where women are the main victims, 80% of Venezuelan origin.

Discussion of qualitative results

With the information compiled at a qualitative level, the following analysis can be presented: although many of the Venezuelan migrant women are in the process of obtaining or have obtained their immigration regularization documents, they still show significant barriers in accessing services and benefits associated with information and communication technologies. This indicates that these documents are ineffective for meeting their mission of granting the full rights of legal presence in Colombia.

Therefore, gender-based subordination and inequalities due to nationality are latent and manifested in dependency on males—primarily on men with a family or affective link, who are mainly Colombian citizens and foreigners with legal documentation who have been in the country longer—for acquiring internet and telephony services. This leads to obtaining the services informally, possessing but not owning the devices, and being subject to monitoring of their communication, which affects the establishment of interpersonal relationships in digital environments; performing formal economic activity; independently enjoying or entertaining oneself in leisure time; and gaining academic learning and training offered online, among other benefits.

(20) Space coordinated by the Inter-Agency Group on Mixed Migratory Flows and the R4V for the response to GBV in Colombia.

Similarly, it can be established that Venezuelan migrant women in Colombia experience types of violence that, although they originate in sex/gender characteristics and nationality, are not implemented and reproduced due to these causes alone. Rather, they also have to do with economic level, age group, sexual orientation and gender identity, belonging to rural or peripheral territories, the productive activities in which they are employed and even physical appearance. These forms of violence are rarely denounced, due to unfamiliarity with due process and fears of retaliation, both through negligent and re-victimizing procedures and because of finger pointing by the population at large or, in the private sphere, from their partners or family, who exercise control and violence against them.

Finally, women not only are afraid to denounce their experiences of violence, they also show insecurity and fear of conducting processes of accompaniment and orientation of other women who are in problematic situations. In this vein, although they may wish to exhibit solidarity with other women's cases of aggression and risk, an unfamiliarity with the standards of care, protocols and tools needed to effectively file a complaint is seen, which makes it impossible to have positive relationships between women and empathetic ties that would significantly help mitigate the gaps in access to protection mechanisms and would boost sorority among Venezuelan migrant women.

Challenges arising from the mixed discussion

This investigative work has been proposed on the evolution of the mixed results, which may seem discouraging for the outlook of Venezuelan women living in Colombia.

From a psychosocial approach—which enables consideration of both macro- and micro-systems to have a critical, thoughtful and constructive perspective—different challenges around connectivity gaps and violences in internet use are recognized. The first system is the Colombian state, and the main challenge is appreciating the importance that information and communication technologies have for different population groups, especially those who have greater inequalities in access and use (such as Venezuelan migrant women); and from there to be the guarantor of diverse plans, programs and projects to mitigate the inequalities and foster online and offline well-being.

The second system are institutions²¹ that provide connectivity services and duty bearers, where the central challenge is incorporating gender perspective and understanding migration phenomena, with internal guidelines whose objectives include reducing the gaps in acquiring ICTs and protecting against online and offline violence, reducing unnecessary requirements, choosing alternatives for accessibility and fostering a safe environment for exercising the right to file complaints. Likewise, it means seeking for officials or managers to be fully able to meet the requirements of emerging populations, to recognize the diversity of valid migration documents and to be able to unlearn sexist, xenophobic and aporophobic behaviors.

In addition, the system comprising the general population faces the challenge of deconstructing some characteristics stemming from patriarchal culture which reinforce structures of violence toward women, with a special focus on those who are Venezuelan

(21) These institutions include public and private telephony and internet service providers. They also include duty bearers such as government and state agencies, including government departments, constitutional monitoring and defense agencies, the National Police Force and the legal system.

by nationality. This would facilitate meaningful progress in strengthening ties for creating community among Venezuelan migrants and the national host community.

Finally, we have the individual system based on the Venezuelan migrant women living in Colombia, which poses an introspection-based challenge through which it would be possible to experiment with interrogating types of violence naturalized both on and offline, as well as recognizing the ICT control and dependency mechanisms to which they are subject and, above all, the exercises they themselves implement that reproduce violence in other women (by act or omission), making sorority and achievement of a feminist internet impossible. It should be mentioned that this challenge does not depend only women's capacity for agency²² but rather on contextual conditions together with the ecosystems to which they are connected.

CONCLUSIONS

The limited internet access of Venezuelan migrant women living in Colombia is directly related to conditions of nationality and sex/gender, which are decisive in the disparity of opportunities in the acquisition, use and enjoyment of ICTs, reflecting gaps that affect basic rights such as health, education, housing, due processes for enforcement/complaint, support networks and community building, among others.

Therefore, as regards nationality, those who lack documentation or who are in irregular immigration status have no possibility to access these rights and services (some women consider that their use is individual, which is not the same as personal, but they can obtain none of these services in their own name). In this same vein, those in regular condition do not have full access to connectivity and telephony guaranteed either, facing barriers linked to unfamiliarity with the documents issued by Colombia to foreign citizens and their inclusion on digital platforms by public and private telephony and internet service providers. In addition, depending on gender, the levels of subordination and inequality are significantly high and are intensified when other situational axes intersect—social class, age, and place of residence, among others—which perpetuates machismo and even misogyny in information and communication technologies.

Along those lines, both widespread statistics and individual perceptions show that transgressions on physical, psychological, sexual and economic–patrimonial levels against Venezuelan women residing in Colombian territory are recurrent, generating concerns in light of the outlook for this population, when they see digital environments as one more scenario where the patriarchy is manifest, under diverse forms of oppression, dependency and control that impact their online and offline well-being.

As a result, different crosscutting challenges arise out of the psychosocial approach based on macro- and micro-systems, which are proposed with the goal of attenuating the gaps and violence identified in this investigative work. All this enables both the Colombian territory and service providers to adopt an understanding of the magnitude of inequality in access to connectivity in internet and telephony use for exercising rights and guaranteeing them, thus

(22) This concept places particular emphasis on the interaction of factors such as class, ethnicity and gender. It is a group of individuals who act together and thus strengthen ties in society (Instituto de Estudios Latinoamericanos. *Mujeres y Género en América Latina*).

producing an expansion of the range of possibilities that ICTs offer, and the multiple benefits that they hold, and which are not being guaranteed.

For this reason, both the population at large and Venezuelan migrant women in Colombia must take a stand in the problematic situations that revolve around this phenomenon. Their challenge is the deconstruction of social, cultural and symbolic perspectives that foster the digital violence that coalesces and transcends to offline scenarios, affects the building of a modern, globalized community, agency in light of the violence they face and solidarity with other women who are in similar or worse conditions.

To conclude, this work's only objective was to make evident the difficulties that Venezuelan migrant women living in Colombia experience and go through, exposing how much is left to do with regard to rights and the guarantee of services to a population that requires accurate answers with migratory and gender-based approaches so that each day they may successfully make the guarantee of a feminist, inclusive telephony and internet more feasible.

REFERENCIAS

- Álvarez, Y., & Castro, D. (2020). Frontera resistencia y vulnerabilidad de mujeres migrantes emprendedoras en Colombia [Border resistance and vulnerability of migrant women entrepreneurs in Colombia]. *Revista Venezolana de Gerencia*, vol. 25, No. 90, pp. 427–439. <https://www.redalyc.org/journal/290/29063559002/29063559002.pdf>
- Anaconda, M. (2014). *Revisión documental del concepto “enfoque psicosocial” en atención a víctimas del conflicto armado colombiano particularidades y reflexiones para una acción sin daño* [Document review of the concept of “psychosocial approach” in serving victims of the Colombian armed conflict: specificities and reflections for harm-free action]. [Thesis, Universidad Nacional de Colombia]. <http://www.bivipas.unal.edu.co/bitstream/10720/679/1/25480734.2014.pdf>
- Andrade, M. (2008). ¿Qué es la “aporofobia”? Un análisis conceptual sobre prejuicios, estereotipos y discriminación hacia los pobres [What is “aporophobia”? A conceptual analysis of prejudices, stereotypes and discrimination against poor people]. *Revista do PPGPS / UENF. Campos dos Goytacazes*, v.2, n.3, pp.117–139, ISSN 1981-9862. <https://xdoc.mx/documents/prejuicio-esterotipo-y-discriminacion-5eff945227e73>
- Arias, G. J. (2020). *Métodos de investigación online Herramientas digitales para recolectar datos* [Online research methods: Digital tools for data collection]. https://repositorio.concytec.gob.pe/bitstream/20.500.12390/2237/1/AriasGonzales_MetodosDeInvestigacionOnline_libro.pdf
- Banacolombia. (2021, February 22). ¿Qué es historial crediticio? [What is credit history?]. <https://www.banacolombia.com/educacion-financiera/finanzas-personales/que-es-historial-crediticio>
- Cancillería (2021). *Abecé del Estatuto Temporal de Protección para Migrantes Venezolanos* [ABCs of the Temporary Statute for Protection of Venezuelan Migrants]. https://www.cancilleria.gov.co/sites/default/files/FOTOS2020/ok_esp-abc_estatuto_al_migrante_venezolano_05mar-2021.pdf
- Cancillería (2022). *Autorización de prórroga de salvoconducto* [Authorization of extension for laissez-passer]. https://www.cancilleria.gov.co/tt_ss/autorizacion-prorroga-salvoconducto
- Cataño, C., & Vásquez, S. (2011). La brecha digital de género: prácticas de e-inclusión y razones de la exclusión de las mujeres [The digital gender gap: e-inclusion practices and reasons for women’s exclusion]. *Revista Asparkia*. 1132-8231 (22), 33–50. <https://dialnet.unirioja.es/servlet/articulo?codigo=3824402>
- Chávez, A. (2018). La utilización de una metodología mixta en una investigación social [The use of a mixed methodology in social research]. In Delgado, K., Gadea, W., & Vera, S. (Eds.). *Rompiendo barreras en la investigación*. (p. 165). Ediciones UTMACH. http://rabida.uhu.es/dspace/bitstream/handle/10272/15178/La_utilizacion_de_una_metodologia_mixta.pdf?sequence=2
- Cornejo, A. (03 de diciembre de 2020). Acciones feministas por un mundo libre de violencias de género. Recuperado de: <https://www.ladobe.com.mx/2020/12/acciones-feministas-por-un-mundo-libre-de-violencias-de-genero/>
- Colnodo. (2020). Women’s Rights Online: cerrando la brecha digital de género para un mundo más igualitario [Closing the digital gender gap for a more egalitarian world]. <https://www.colnodo.apc.org/es/novedades/women-apos-s-rights-online-cerrando-la-brecha-digital-de-genero-para-un-mundo-mas-igualitario>
- Días, J. (2019). *Migración venezolana en Colombia: Un desafío para la seguridad* [Venezuelan migration in Colombia: A security challenge]. [Undergraduate thesis, Universidad Militar Nueva Granada]. <https://repositorio.unimilitar.edu.co/handle/10654/32380>
- Flores, A. (2014). *Metodología feminista: ¿una transformación de prácticas científicas?* [Feminist methodology: a transformation of scientific practices?] [Doctoral thesis, Universidad Complutense de Madrid]. <https://eprints.ucm.es/id/eprint/24645/1/T35177.pdf>

- GIFMM (2019). *R4V respuesta a venezolanos, reporte situacional abril 2019* [R4V response to Venezuelans, situation report April 2019]. <https://www.r4v.info/es/document/gifmm-colombia-reporte-situacional-abril-2019-es>
- GIFMM (2022). Colombia: Situación de la Violencia Basada en Género (VBG), Comparativo 2020 – 2021 [Colombia: Situation of Gender-Based Violence (GBV), 2020–2021 Comparison]. <https://reliefweb.int/report/colombia/colombia-situacion-de-la-violencia-basada-en-g-nero-vbg-comparativo-2020-2021-abril>
- InfoPalante. (2022). *¿Cómo solicito un servicio de telefonía en Colombia?* [How do I request telephone service in Colombia?] <https://www.infopalante.org/hc/es-co/articles/360061165394--C%C3%B3mo-solicito-un-servicio-de-telefon%C3%ADa-en-Colombia->
- International Organization of Migration – IOM. (2021). *¿Quiénes somos?* [Who are we?] <https://www.iom.int/es/quienes-somos>
- IOM. (2021). *Sobre la migración* [About migration]. <https://www.iom.int/es/sobre-la-migracion>
- Instituto de Estudios Latinoamericanos Mujeres y Género en América Latina. Agencia [Agency]. https://www.lai.fu-berlin.de/es/e-learning/projekte/frauen_konzepte/projektseiten/konzeptebereich/lista6/agencia.html#:~:text=El%20concepto%20de%20agencia%20no,1969%3A%2096%20off
- Law 1257 of 2008. (2008, December 4). Congreso de Colombia. Artículo No 3. <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=34054>
- Law 1341 of 2009. (2009, July 30). By which principles and concepts on the information society and the organization of Information and Communication Technologies (ICT) are defined are defined. Congreso de Colombia. Artículo No 6. https://www.mintic.gov.co/portal/715/articles-6398_Ley_1341_2009.pdf
- Ministerio de Tecnologías de la Información y Comunicaciones – MINTIC. (2008). *Política Nacional de Tecnologías de Información y las Comunicaciones* [National Policy on Information and Communication Technologies]. https://www.mintic.gov.co/portal/715/articles-125156_recurso_00.pdf
- PADF, Universidad del Rosario. (2020). *El acceso a los derechos de los migrantes en Colombia, Cartilla Práctica e Informativa* [Access to migrants' rights in Colombia, Practical and Informative Booklet]. https://www.oas.org/es/sadye/documentos/FUPAD_CartillaDerechos.pdf
- Palacios, C. (2019, June 19). *Parén de parir: Gobierno debe hacer de control de natalidad en venezolanos una prioridad de su estrategia migratoria* [Stop giving birth: Government must make birth control among Venezuelans a priority in their immigration policy]. *El Tiempo*. <https://www.eltiempo.com/opinion/columnistas/claudia-palacios/paren-de-parir-columna-de-claudia-isabel-palacios-giraldo-374742>
- Palomares, M. (2020, January 20). *Las polémicas medidas del alcalde de Yopal contra los migrantes* [The controversial measures of the mayor of Yopal against immigrants]. *Migravenezuela*. <https://migravenezuela.com/web/articulo/en-casanare-alcalde-promueve-la-xenofobia-en-contra-de-los-venezolanos/1675>
- Rodriguez, A. (2019, February 8). *Las venezolanas son una fábrica de hacer chinitos pobres: alcalde de Bucaramanga* [Venezuelan women are factories for making poor children]. *Wradio*. <https://www.wradio.com.co/noticias/regionales/las-venezolanas-son-una-fabrica-de-hacer-chinitos-pobres-alcalde-de-bucaramanga/20190208/nota/3861758.aspx>
- Torrado, S. (March 17, 2021). *La alcaldesa de Bogotá agita la bandera de la xenofobia contra los venezolanos en Colombia* [The mayor of Bogota waves the flag of xenophobia against Venezuelans in Colombia]. *El País*. <https://elpais.com/internacional/2021-03-18/la-alcaldesa-de-bogota-agita-la-bandera-de-la-xenofobia-contra-los-venezolanos-en-colombia.html>
- International Telecommunication Union – ITU, United Nations Organization (2004). *Cumbre Mundial sobre la sociedad de la información* [World Summit on the information society]. https://www.itu.int/dms_pub/itu-s/md/03/wsis/doc/So3-WSIS-DOC-0004!!PDF-S.pdf

- UN Committee on Migrant Workers, ICRC. (2021) *Acceso a la justicia de las personas migrantes, refugiadas y otras sujetas de protección internacional en las Américas* [Access to justice for migrants, refugees and other persons subject to international protection in the Americas]. https://www.icrc.org/es/download/file/240688/publicacion_acceso_a_la_justicia.pdf
- UNFPA Colombia y Plan Internacional (2018) ¡Hablemos de violencia sexual!
- UNHCR. (2018). *Proyecto de caracterización de población proveniente de Venezuela en Colombia* [Project for characterizing the Venezuelan population in Colombia]. <https://www.refworld.org/es/pdfid/5ac7f0534.pdf>
- USAID, OMV (2022). *Infografía de Caracterización Mujeres Migrantes 2022* [Infographic Characterizing Migrant Women 2022]. https://colaboracion.dnp.gov.co/CDT/Prensa/Mujeres_Migrantes_Infografia.pdf

Ecuador

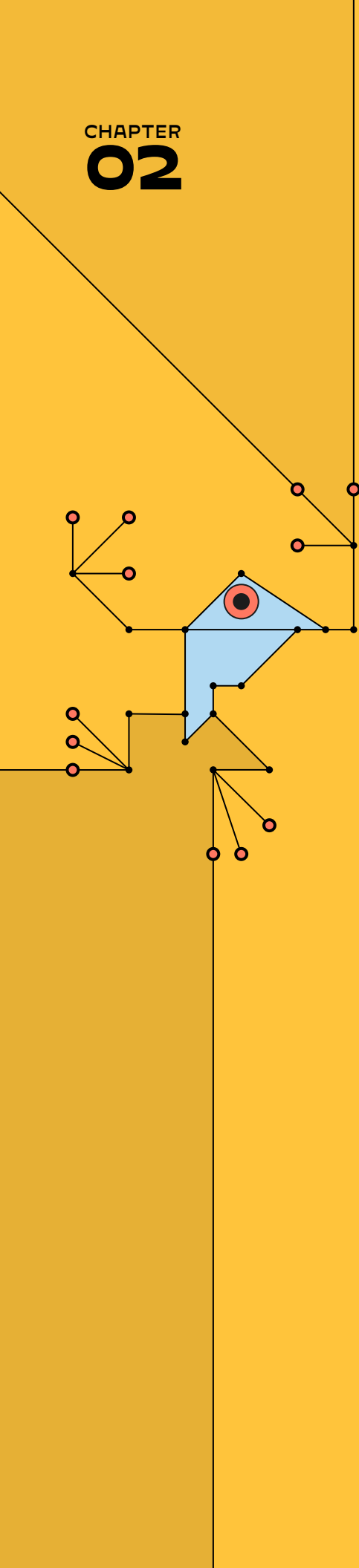
In 2021, 51 people died or disappeared trying to reach the United States from Latin America using illegal routes. The number is likely inexact and lower than the real number of victims of migrant trafficking networks that are spread throughout the American continent.

It is a profitable and deadly business, which takes advantage of the desperation of vulnerable people who put everything they have in the hands of a smuggler, with the hope of finding a better future farther north—a desire that can never be guaranteed and which sometimes has a fatal outcome.

In Ecuador, human trafficking is a crime punished by up to ten years in jail, thirteen if children and adolescents or other vulnerable people are involved, and twenty if it results in the victim's death.

OpenLab's investigation shines a light on the way criminal organizations use social networks to commit the crime of migrant smuggling, with a special focus on TikTok. One of its main results is the confirmation that it is not about individuals acting independently, but rather international networks that express themselves in various ways and which also pervade the internet.

Now it just remains to discover what efforts the Ecuadorian government is taking to stop these practices and protect migrants.



Influencer coyote: A peek at Ecuadorian migrant trafficking networks on TikTok

*Fundación Openlab*²³

<https://openlab.ec>

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(23)

The **Fundación Openlab** Ecuador is a citizen technology and free culture movement laboratory dedicated to promoting experimentation, citizen engagement, education and creativity in support of Open Software, Open Knowledge and Digital Rights communities in Ecuador and Latin America, through activities benefiting the common good and for a knowledge and creativity economy.

SUMMARY

This investigation is an analysis of networks focused on Ecuador, based on a sample of content advertising activities associated with migrant smuggling on TikTok.

Data monitoring and gathering on that social network was conducted between May and September 2022. During this period, nearly 70 accounts and over 300 publications were found related to illegal migration services. It was possible to determine that there are communities with shared connections dedicated to the production and promotion of criminal activities penalized under Ecuadorian law and TikTok community standards.

In addition, this document attempts to address the phenomenon of emigration in Ecuador. It was therefore critical to gather testimonies from people whose lives have been affected by irregular immigration to the United States, in villages with high rates of human mobility.

INTRODUCTION

Ecuador is experiencing the third great migration of its recent history. Much of this human mobility process takes place via irregular crossing of the border between Mexico and the United States. The phenomenon includes the presence of migrant smuggling networks, which is classified as a crime in Ecuador. In the social media era, *coyotes*²⁴ [smugglers] are using diverse platforms to promote their activities, and one of the most important outreach methods is TikTok.

This investigation's primary objective is to quantify the phenomenon of supplying and advertising migrant smuggling on TikTok, with the goal of providing tangible elements for assessing the problem in the digital environment. It attempts to create visibility around gaps in the platform's moderation and regulation, detecting coincidences in profiles, publication characteristics, account creation dates, usernames and identifying information, so as to establish potential relationships between profiles using quantitative analysis.

One objective arising from this document is to understand the phenomenon of human mobility in Ecuador in the broadest scope, gathering the life stories of people who have been marked by migration using unsafe steps, located at different points along the Mexico–United States border, as well as to communicate the panorama of social and economic dynamics of people with high rates of migration. The stories gathered are told and published under strong human rights and non-revictimizing criteria.

A photo on WhatsApp

A gray, rushing river is reflected on the screen of the phone that José²⁵ holds in his hands. His pulse races and his voice breaks as he explains the images appearing there.

A young couple carries their two children, three and six years old, while they fight against the current of the Rio Grande. The water comes to just below their waists. The family has light backpacks and water bottles. Their somewhat worn clothing hints at how hard the journey is. They manage to cross the river. The expression on the parents' faces plays between fear and relief. They wring the water from their clothes. They hold hands and disappear into the bushes, after greeting the person filming.

Four thousand kilometers away, in Cañar, Ecuador, José and his family receive the images over WhatsApp. His cousin, his children and wife crossed the Rio Grande safely.

Irregular migration of Ecuadorians to the USA has rocketed in the last few years. Between January and June 2022, 10,527 people were detained on the border with Mexico, including 576 unaccompanied minors. Seventy-two people have disappeared along the route (U.S. Customs and Border Protection, 2022).

The problem has deep roots. “Esto se ha institucionalizado en los últimos años en lugares como el cantón Cañar o Azogues” [This has been institutionalized in recent years in places like Cañar canton or Azogues], José says. Cañar is located in southern Ecuador. José has lived here his whole life and knows the irregular migration stories of dozens of families, including his own.

(24) Individual responsible for handling migration, usually illegally, in exchange for remuneration.

(25) For security reasons, all names have been changed.

“Todos tienen por lo menos un familiar, amigo o conocido que se ha ido” [Everyone has at least one family member, friend or acquaintance who has gone]. Since 1970, the provinces of Azuay and Cañar have been the ‘heart’ of the Ecuadorian migrant zone (Jokisch, 2007).

Given the lack of government services, migration has become a common alternative for much of the population, especially in rural areas, where poverty and unemployment levels are higher. Many people have tried to make the journey several times, most of them with external guides commonly known as coyotes or pasadores [passers]. The way the latter operate in Ecuador is through a network originating in Mexico.

In 2021, Mexico began to require visas for Ecuadorian travelers. Between September and December of that year, (official) departures of Ecuadorians to Mexico dropped by 88%. In addition, the number of Ecuadorians traveling to Nicaragua shot up: while between January and September 2021 only 49 people traveled from Ecuador to Nicaragua, in October and November there were 791 and 1,012, respectively (González, 2021). It’s not that Ecuadorians are no longer going to Mexico. It’s just that they are not being tracked by official records.

Illegal migration networks have spread to countries like Nicaragua, Guatemala and El Salvador, generating new access routes to the US. Since September 2021, Mexico has again applied visa restrictions to Ecuadorians, trying to put a stop to irregular migration to the US.

The coyote who “passed” José’s cousin and his family took 12 hours to send the video, once their brother-in-law had deposited 7,000 USD per person (28,000 USD in total). They got the funds through a loan from a local savings and loan cooperative. José has heard of cases where the pasadores charge up to 50,000 USD, with no guarantee the migrants will arrive; he has even found out about coyotes who have fled with the money, without reporting the travelers’ status back to their families.

Outside a store in Cañar is Rosa, an employee there. In 2019 her brother Raul traveled with a pasador who charged him 24,000 USD to help him get to the US using the Panama–Bahamas route. Raul also financed his trip with a loan from a cooperative. The coyote did not follow through and abandoned him on the islands, where he was held by immigration authorities for four months, with no way of communicating with his family.

In addition to the lost money, Rosa and her parents had to send a monthly amount to ensure that Raul would survive. After a lot of effort and uncertainty, they successfully got him back, through a third party who is also a pasador. Raul returned in terrible physical and psychological condition. He did not speak for weeks. But after a few months he left again, with guidance from a new coyote. This time he crossed successfully.

In Cañar it has become commonplace to turn to these characters to find help for traveling. They are friends of the family and local neighbors. They can be contacted over social media, instant messaging apps and phone calls, but the most common way is by word of mouth. If a migrant successfully crosses the border safely with coyotes, they recommend them.

The crime of migrant smuggling

The smuggling of migrants means the procurement of the illegal entry of a person into a State of which that person is neither a citizen nor a temporary or permanent resident, in order to obtain directly or indirectly, a financial or other material benefit (OAS, 2004).

Although there is international legislation affirming the universal right of all persons to

migrate, including Article 13 of the Universal Declaration of Human Rights, each country has the authority to decide whom to allow to cross its borders.

The nexus between poverty and the problem of migration is undeniable. Most of the time, there is a direct relationship with the migrant's need to improve their quality of life (López, 2011). As countries exercise this self-determination to regulate access to their territory, the control often means the implementation of restrictive measures, which can even be oppressive for a large share of the migrant population that cannot meet the requirements by simple, quick channels. The mandatory nature of passports, visas, tough police monitoring and even racist, xenophobic and aporophobic practices forces them to consider alternative means in their determination to migrate.

As a result, a significant number of migrants are willing to run the risk and turn to pasadores or coyotes. For these figures, each person who comes to them represents a lucrative opportunity, and exploiting their vulnerability is very easy.

Because this involves a clandestine criminal act, numbers are not always accurate. The Globalization of Crime report (UNODC, 2010) identifies two main routes for human smuggling in the world, one of which is that from South America to North America, used by the people leaving Ecuador. The report estimates that nearly one third of the people who begin human mobility processes toward the US are irregular migrants, and around 80% of this population come from South America. Although the exact number of victims of smuggling via this route is unknown, it is calculated that around 3 million irregular entries into the US take place annually.

In Ecuador, the crime of migrant smuggling is regulated by the Comprehensive Organic Criminal Code (COIP, 2021). It is punished by seven to ten years of prison. However, the problem has progressively grown each year and it has taken root in areas of the country where government presence is reduced and there is little control.

According to data from the Office of Prevention of Human Trafficking and Migrant Smuggling and the National Directorate of Information Analysis of the National Police (Ministerio de Gobierno, n.d.), between 2017 and 2022 the provinces with the most reported cases for this crime were Azuay, Cañar and Pichincha. In provinces like Guayas, Morona Santiago, Tungurahua, Chimborazo, Loja, Sucumbios, Carchi, Orellana, El Oro and Bolivar there was also a significant number of cases during this period. In the remaining 11 provinces, an under-registration of cases is estimated, since there are no numbers representing reports of this crime.

During the six years covered by the report, 850 cases were recorded, with 2019 being the year with the highest number of reports at 275. Variables indicate that those involved in the smuggling of migrants are, mostly, men (71.8%), compared to 23.41% women, and primarily in the 30 to 64 age group.

Children between 0 and 11 years old represent 3.65% of illegal migrants, while adolescents between 12 and 17 years old constitute 3.09%.

There is a decrease in cases recorded in 2020, considering the COVID-19 pandemic and mobility restrictions implemented in response. In total that year, 98 cases were counted. However, the economic crisis unleashed by the pandemic, which continues to this day, increased the problem. Numbers again reached the hundreds: 171 in 2021. In May 2022, 18 cases were reported.

The perpetrators know how to stay under the radar, due to which statistics are not precise. There are countless cases that go unregistered and survivor stories that are never told. For this report, an official statement was sought from the National Police, without success.

METHODOLOGY

The methodology applied in this report is of a mixed nature. Qualitative and quantitative methods were used, with the goal of understanding human mobility dynamics in Ecuador, from a broad spectrum covering both micro-realities and complex social phenomena.

Because it is a study on social media platforms focused on regulation and self-regulation, it has been necessary to apply digital investigation processes with strict hygiene and security protocols.

Thus, this report is based on four main pillars: the design of an operational security protocol; digital investigation and quantitative analysis; qualitative investigation; and documentary research.

Finding the content

This trip through a sea of publications and profiles started with a tweet by journalist Christian Sanchez, who works at the *El Mercurio* newspaper of Cuenca investigating issues related to migration, and he sounded the alarm on the problem:

2022-02-06 08:34. Esta es la nueva ruta que promocionan coyotos para llevar ilegalmente a migrantes desde Ecuador a EE.UU. Salen de #Quito y van a Nicaragua, siguen a Honduras, pasan a Guatemala y continúan a México. De allí pasan la frontera por California, Arizona, Nuevo México o Texas [This is the new route promoted by coyotes to illegally bring migrants from Ecuador to the us. They leave #Quito and go to Nicaragua, continuing on to Honduras, passing through Guatemala and then to Mexico. From there they cross the border in California, Arizona, New Mexico or Texas].

The reporter added a TikTok video, which includes an animated map. There you can see a plane leaving Ecuador and a land route through Nicaragua, Honduras, Guatemala, and Mexico and the crossing by foot to the us.

In the video some key words are seen that will serve to activate the TikTok search engine: “viajes” [trips], “seguro” [safe], “nicaragua,” “mexico,” and “estados unidos” [United States] are some of the tags used in the search engine to find the content.

This is not found only on TikTok. It also circulates on Facebook Marketplace, Instagram and WhatsApp. Testimonies gathered even refer to local newspapers and radio stations promoting these “services” using coded messages.

This investigation is focused on TikTok for two reasons: first, because more content was found on that social network. This enables a network analysis, the backbone of this report. Second, because it is a relatively new communication method, and it is highly popular among youth.

Young people from rural populations like Cañar are increasingly present on social media, especially on applications like TikTok. It is precisely the youngest generations to whom the messages promoting migration are targeted. “Cumple tu sueño” [Make your dream come true], “ten un futuro mejor” [have a better future], are the promises. “El viaje se paga al llegar” [The

trip is paid for on arrival], it says. #Biblián, #Cañar, #Guamote, #Chunchi are some of the tags often used in promoting coyote activities on TikTok; the hashtags correspond to rural sectors of the Ecuadorian mountain range.

From May to September 2022, a total of 69 accounts and 304 publications were found and registered alluding to offers of illegal migration to the United States. Taking an average over the 105 days that the collection process lasted, the result is 2.89 publications per day.

Based on the information compiled, it has been documented that on three occasions TikTok included a warning tag associated with one of the videos. “Al participar en esta actividad, podrías sufrir daños o causarlos a los demás” [By participating in this activity, you could suffer harm or cause harm to others], reads the message.

Systematizing the information

We have decided not to use the names of TikTok accounts related to illegal migration content. While most of the profiles have anonymizing components, there are others that use first and even last names.

For security reasons, we have decided to change usernames under the concept of “usuario1” [user1], “usuario2” [user2], etc. In the case of accounts linked to foreign countries, code names like “usuariomexico1” or “usuariocolombia1” were used. Because this is an international network phenomenon, it was critical to show how content crosses geographic borders. Profiles and publications were stored in an internal database and were archived on Archive.ph.

At first, the idea was to find a GitHub repository that would make it possible to automate data collection from these accounts, as well gather their connections. But we concluded that TikTok’s application programming interface (API) is limited for conducting this kind of analysis, due to which data collection was manual.

In a first matrix, general account information was gathered: usernames, numbers of followers and accounts following the profile, time stamp (dates and times) for account creation, a link to the archived profile, connections of interest and general observations, e.g., of accounts abroad or accounts that had mentions of child trafficking.

The second matrix was filled out with the goal of gathering information on each publication. The fields filled out were username, link to the original publication, link to Archive.ph, time stamp, text appearing in the description, text found in the video, a description of the video or audio when these held material of interest, and observations of noteworthy elements.

To build these matrices, access was gained to the source code of the analyzed links. The information needed is the exact time of the publication, since at first glance only a general date is found. For a more precise analysis, it is necessary to gain access to the time stamp, which offers more precise information and includes the hour with minutes and seconds. For the conversion from UNIX time to human date and time, Epoch Converter was used.

The third and last matrix is the one used to perform the network analysis. This is an adjacency matrix containing the same number of columns as rows and is filled out with ones (1) and zeros (0), where 1 indicates a relationship between the accounts and 0 no relationship. This matrix is loaded in the Gephi program, to show results of communities and clusters.

ORGANIZED NETWORKS: MAIN FINDINGS OF THE OPEN-SOURCE INVESTIGATION

Oswaldo, an Ecuadorian, shows his trip to the United States using various publications on his TikTok profile:

2022-04-26 00:44:36 (GMT). A vivir una nueva aventura !! a enfrentar la triste realidad el cruce de la frontera 🇺🇸 [Going to experience a new adventure !! to face the sad reality crossing the border 🇺🇸].

A collage of videos accompanies his text: A suitcase and his passport in a waiting room. A selfie next to the airplane window, a Mexican sandwich stall, the Zocalo in Mexico City.

2022-04-28 01:41:06. (Seven people can be seen in the video. In a 3m square room. Four people are lying on one bed and another two are on a small bed. Their backpacks are shoved in a corner.) “Piedras Negras Mexico. Cruzar la frontera a la 1ra y llegar a los EEUU sin conocer. Bodegas Piedras Negras frontera entre México y EEUU” [Crossing the border on the 1st try and getting to the US into the unknown. Bodegas Piedras Negras Mexico–US border].

First comment: “bendiciones que Dios los proteja 🙏 y suerte 🍀” [blessings may God protect you 🙏 and good luck 🍀]. Second comment: “las bodegas son después de pasar el desierto?” [these warehouses are after getting through the desert?] José replies: “antes y después... saludos!!” [before and after... greetings!!].

2022-04-30 01:53:03. “Este es el momento donde se comienza a valorar cada gota de agua y comida” [This is when we start to appreciate each drop of water and food].

A group of people are talking in a clearing surrounded by dry forest. On the ground, some plastic. José is recording while lying down.

“Momentos difíciles a las cuales hay k enfrentar y conseguir el éxito. #decierto 🇺🇸 río bravo 🇺🇸” [Difficult moments that you have to face and be successful. #de[s]ert 🇺🇸 río grande 🇺🇸].
2022-06-09 23:01:45. “Mi sueño fue viajar a los EEUU y gracias a Dios lo cumplí” [My dream was to travel to the us and thanks to God, I did it].

A new collage: Saying goodbye to family at the Quito airport, the plane, the mattress mates in the “warehouse”, the desert, cooking with travel companions. The final image is of a car trip on a u.s. highway.

“Los sueños se pueden hacer realidad cuando se lucha x ello y Fé en Dios 🙏🇺🇸” [Dreams can become reality when you fight for it and Faith in God 🙏🇺🇸].

2022-06-09 23:01:45. “La vida solo se vive una vez, así que haz lo k te haga feliz (‘_) y quédate con quien te haga sonreír” [You only live life once, so do what makes u happy (‘_) and stay with someone who makes you smile].

Oswaldo takes a video in selfie format, at night, in front of Times Square, New York. A sea of people passes by him, but he is alone in this vastness.

Oswaldo now uploads videos of his construction job. He was lucky. Between 2019 and 2021, 72 Ecuadorians disappeared while trying to cross the Mexico–us border irregularly (Zibell, 2022). According to the most recent information from u.s. Customs and Border Protection (USCBP), a

total of 29,857 Ecuadorians have been apprehended on the country's southeast border, which is precisely the one adjacent to the Rio Grande (U.S. Customs and Border Protection, 2022). This number includes 1,205 minors (Sánchez, 2022b). The detentions come under Title 8, the Federal code establishing admissibility and nationality requirements for immigrants on U.S. territory.

Patrones de comportamiento, conexiones y redes

El hecho de que exista un vínculo entre dos cuentas en una red social no necesariamente significa que estos tengan una relación. Sin embargo, al contabilizar grandes volúmenes de datos, se pueden ver ciertos patrones de comportamiento que ayudan a entender un panorama complejo a través del análisis de redes.

Communities

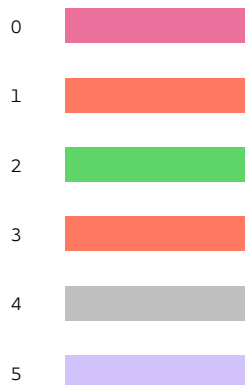
Using an initial calculation in Gephi, five communities are seen, and the modularity is 0.434. All the accounts have connections and, in most cases, more than one.

There are three main communities visible: the purple one (5) that is seen on the left, and which has the most interconnected nodes, followed by the orange one (1 and 3) at upper right, and the green one (2), located in the lower right. The orange sector is the joining of two communities (1 and 3) with several connections between them, which form one cluster via `usuariomexico6` (community 3) and `usuario34` (community 1).

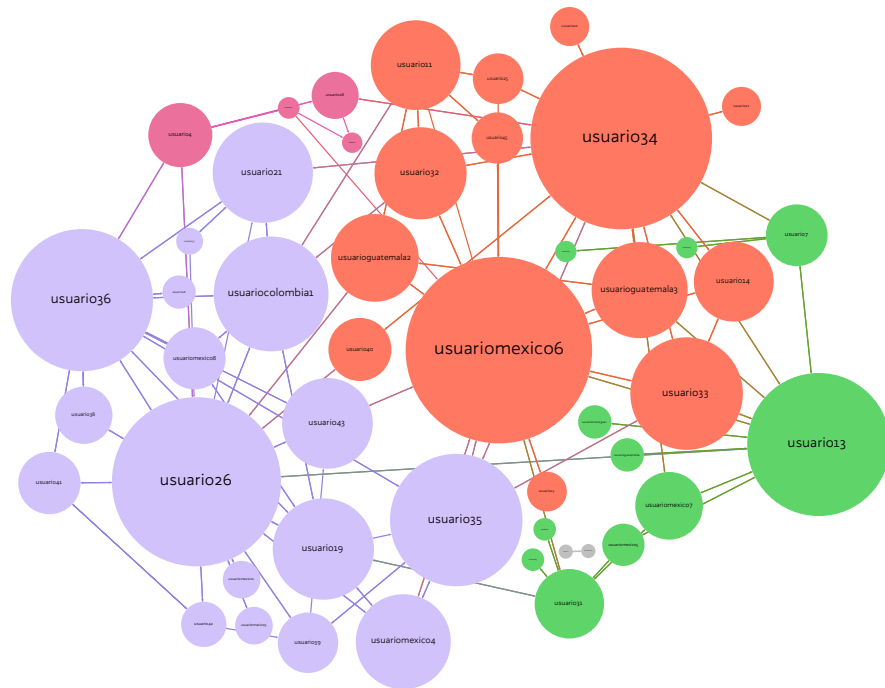
Two smaller communities can also be seen: the pink one (0) in the upper left corner of the graph, and a gray one (4) located in the lower section. The pink one has just four nodes, while the gray one has only two isolated nodes that are interconnected.

GRAPH 1. REPRESENTATION OF COMMUNITIES IDENTIFIED BY COLOR

COMMUNITIES

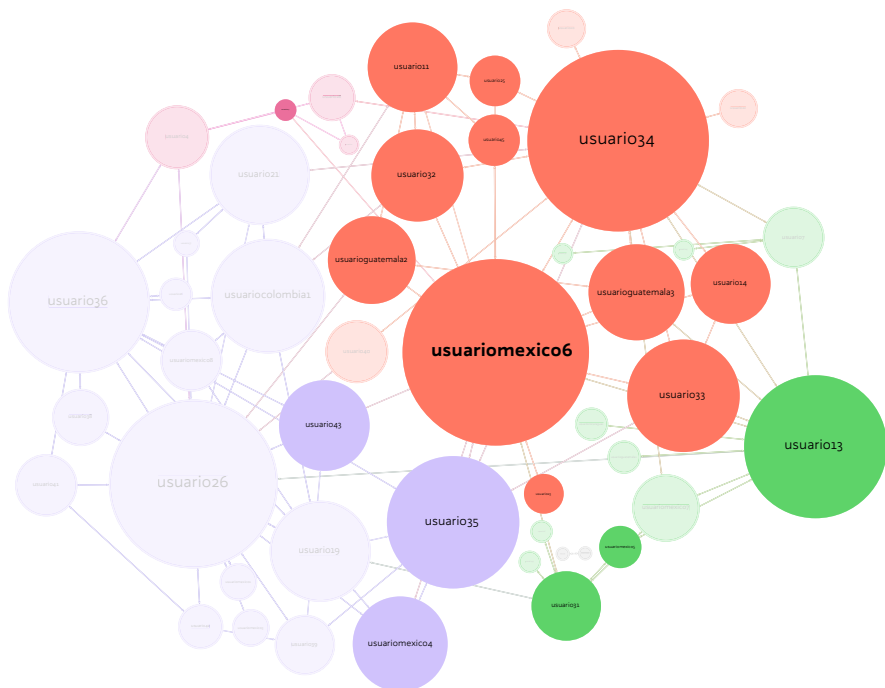


GRAPH 2. DISTRIBUTION OF COMMUNITIES AND CLUSTERS OF ANALYZED ACCOUNTS



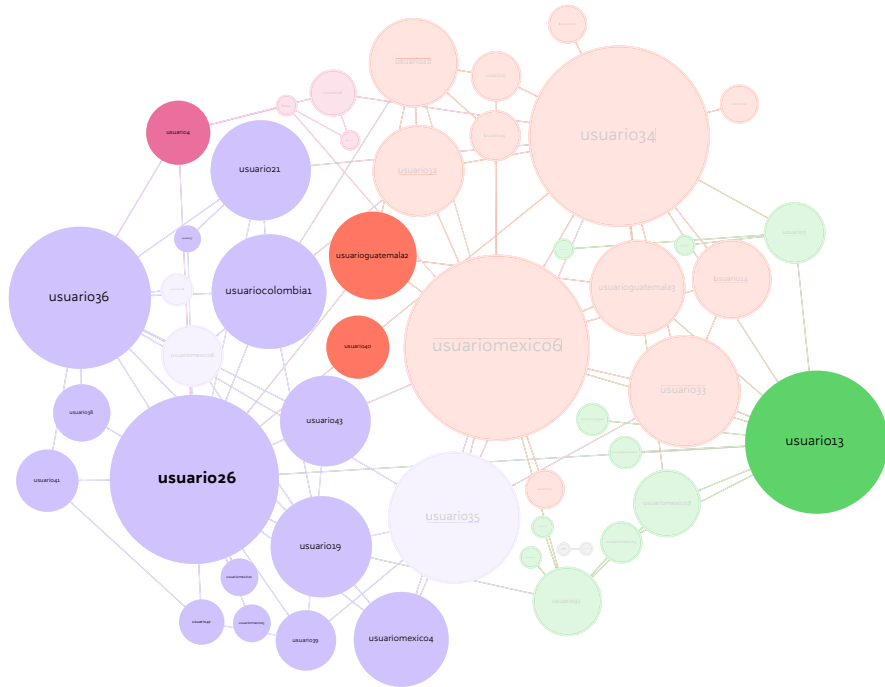
If we take a closer look at usuariomexico6, we can see that this node is interconnected to nearly all the communities, with edges touching two other significant nodes: usuario35 (purple community, 5) and usuario13 (green community, 2). It also connects with a small node to the pink community (0) via usuario27. In addition, we see that usuariomexico6 has connections with two accounts in Guatemala, which are part of the same orange community (3).

GRAPH 3. CONNECTIONS TO THE ACCOUNT IDENTIFIED AS USUARIOMEXICO6



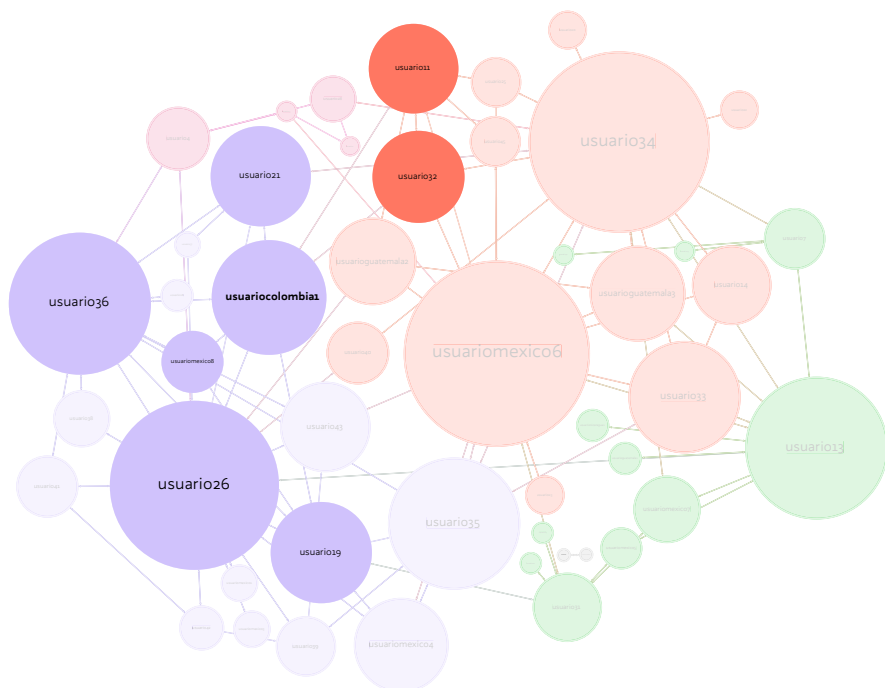
A closer look at usuario26 (purple community, 5) takes us to connections with usuarioguatemala2 (orange community, 3), usuario13 (green community, 2) and usuario4 (pink community, 0). This means that usuario26, like usuariomexico6, connects to nearly all the communities, with the exception of the gray one (4), which is isolated.

GRAPH 4. CONNECTIONS TO THE ACCOUNT IDENTIFIED AS USUARIO26



Separately, usuariocolombia1 (purple community, 5) has a stronger connection to local profiles than with those nodes corresponding to users in Central America and Mexico

GRAPH 5. CONNECTIONS TO THE ACCOUNT IDENTIFIED AS USUARIOCOLOMBIA1



There are two types of graphs: directed and undirected (García, n.d.). Directed are those whose edges flow in one direction, like water flowing through a pipe. Connections on Facebook are like this: if someone sends a request, both begin to follow each other. TikTok is different; if one user follows another, the second does not necessarily follow the first. For this reason, TikTok does not need a directed graph, where entries and exits are counted. Gephi thus calculates an average with the result of the number of links multiplied by two and then divided by the number of nodes: $k = 2L/N$. We can see that the analyzed graph's median degree is 3,833.

We can also see that the eccentricity, i.e., the maximum distance between one node and another, is low.

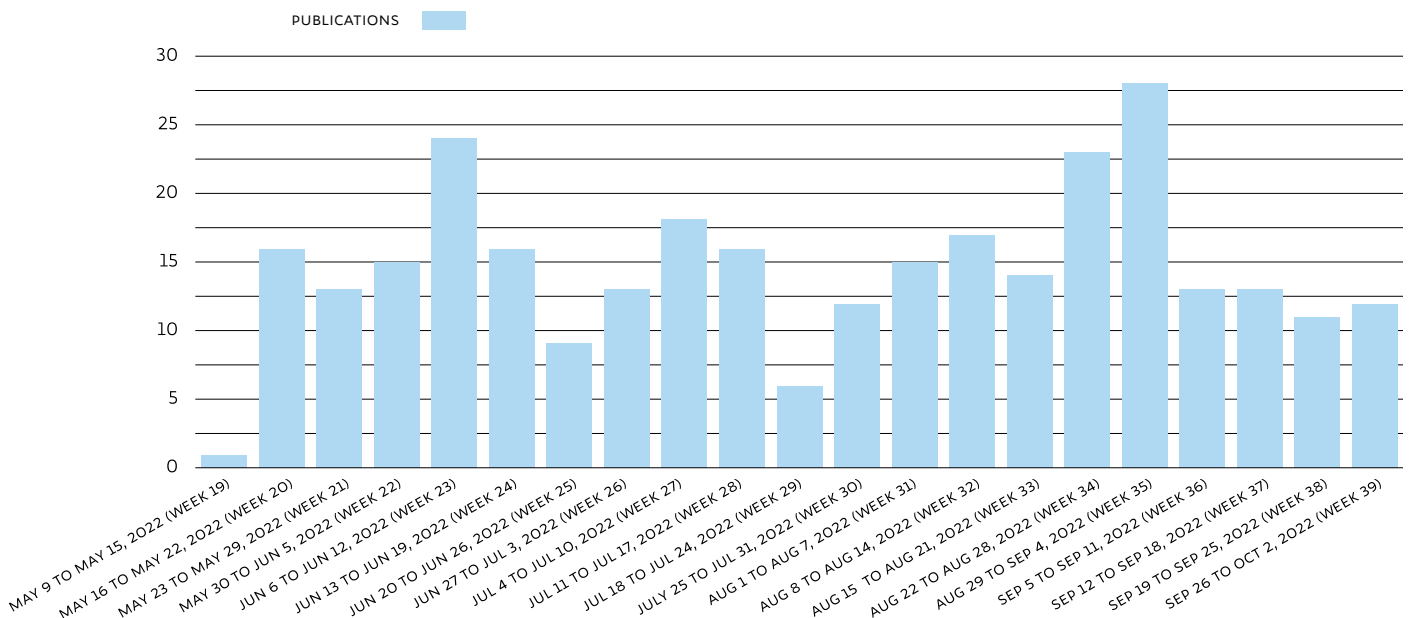
Degree centrality measures the number of a node's connections; this way it is possible to define which accounts are more popular (Centralidad, 2019). In the Gephi data laboratory, we can see the accounts arranged from highest to lowest by centrality. The first is usuariomexico6 (orange community, 3), followed by usuario34 (orange community, 1), usuario26 (purple community, 5) and usuario13 (green community, 2).

Another relevant data point is that the average number of followers of all accounts is 1,664, while the median of the accounts that these profiles follow is 1,294.

Timeline

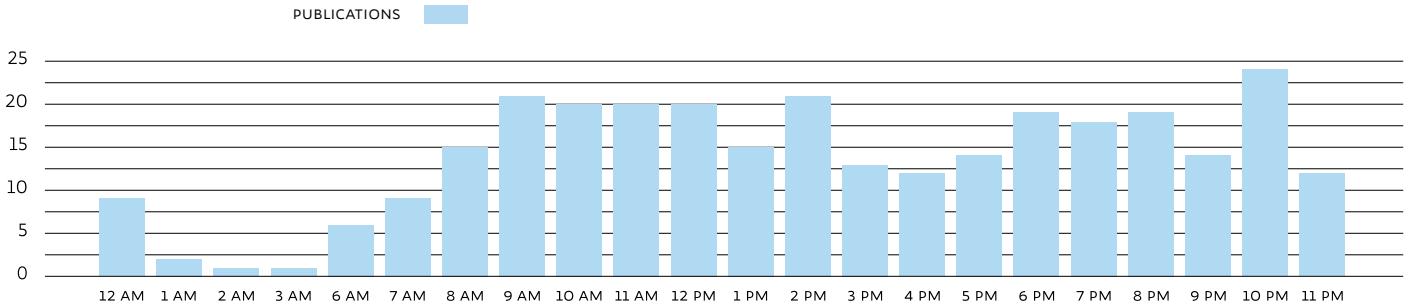
One of the main questions to be answered by this analysis has to do with the publications' time patterns. Using several figures, different perspectives are displayed on when these publications take place. The first explains the amount of content per week. Users increased the volume of information published in the last two weeks of August. More than 50 messages were published between August 22 and September 4. The weekly and monthly trends identify that more publications were created in the first weeks of June, July and September.

GRAPH 6. WEEKLY DISTRIBUTION OF PUBLICATIONS



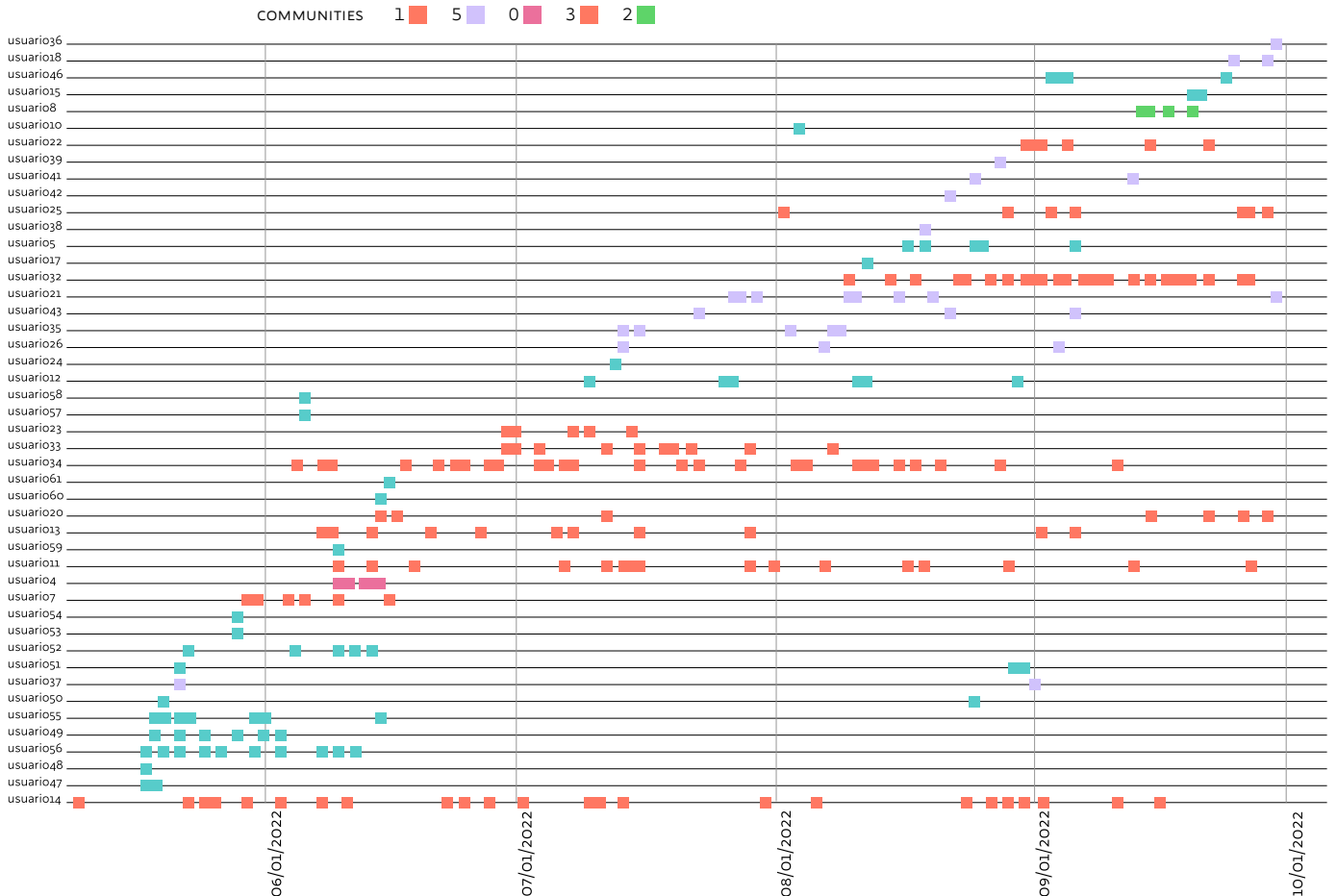
The content is displayed at peak activity hours: between 8:00 AM and 10:00 PM. In the morning (between 9:00 AM and noon) and at night (between 6:00 PM and 10:00 PM) are the two time periods with the largest number of messages published, over 18.

GRAPH 7. HOURLY DISTRIBUTION OF PUBLICATIONS



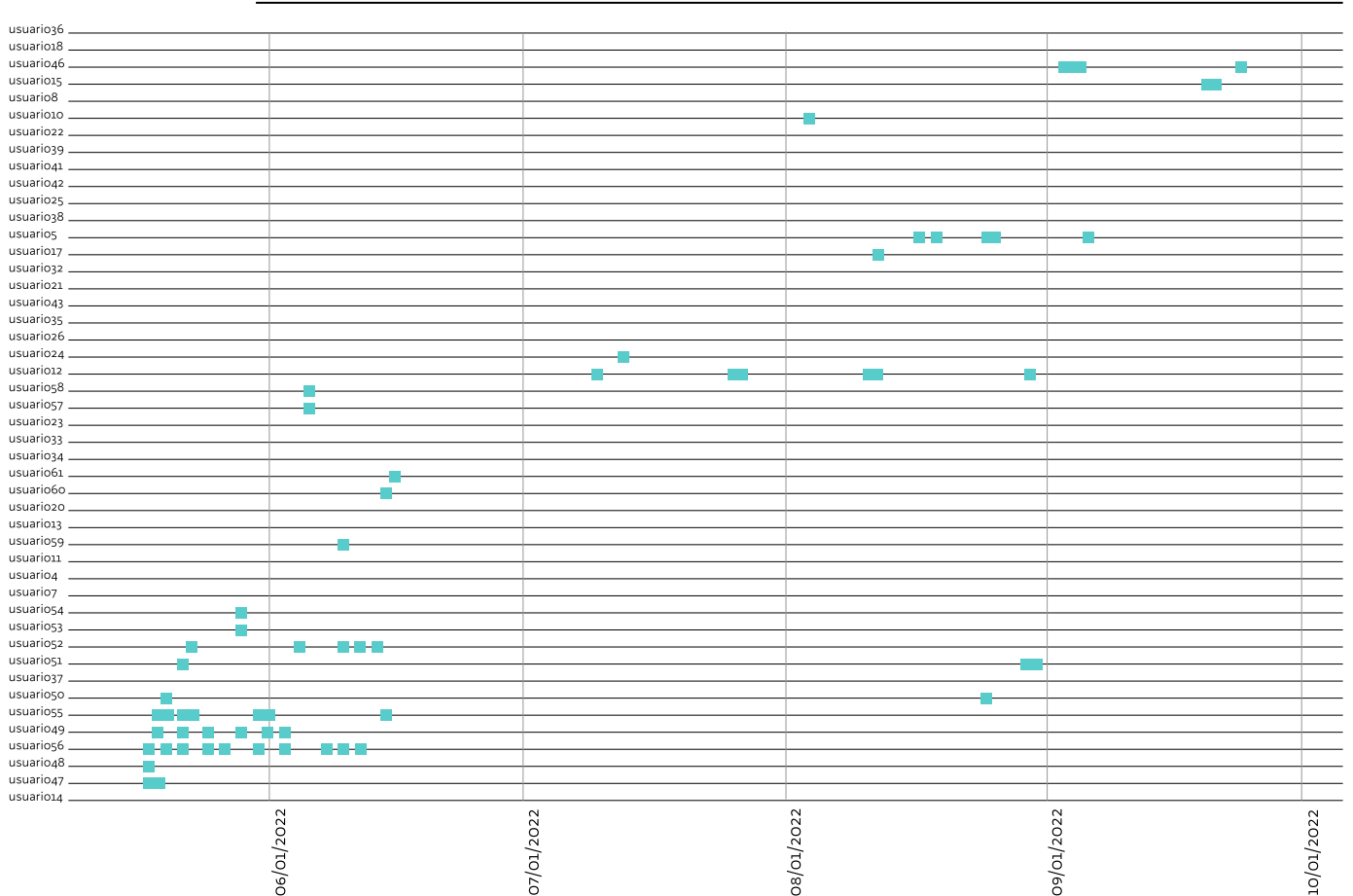
There are daily publications, although there are no users who repeat a publication on the same day (with one exception, identified as usuario15). User dynamics indicate that they stay active for a few days and then disappear. There are five accounts that break with this behavioral norm: usuario14, usuario13, usuario11, usuario34 and usuario32. These stayed active during most of the time frame analyzed.

GRAPH 8. DISTRIBUTION OF PUBLICATIONS BY DATE AND COMMUNITY TO WHICH EACH ACCOUNT BELONGS



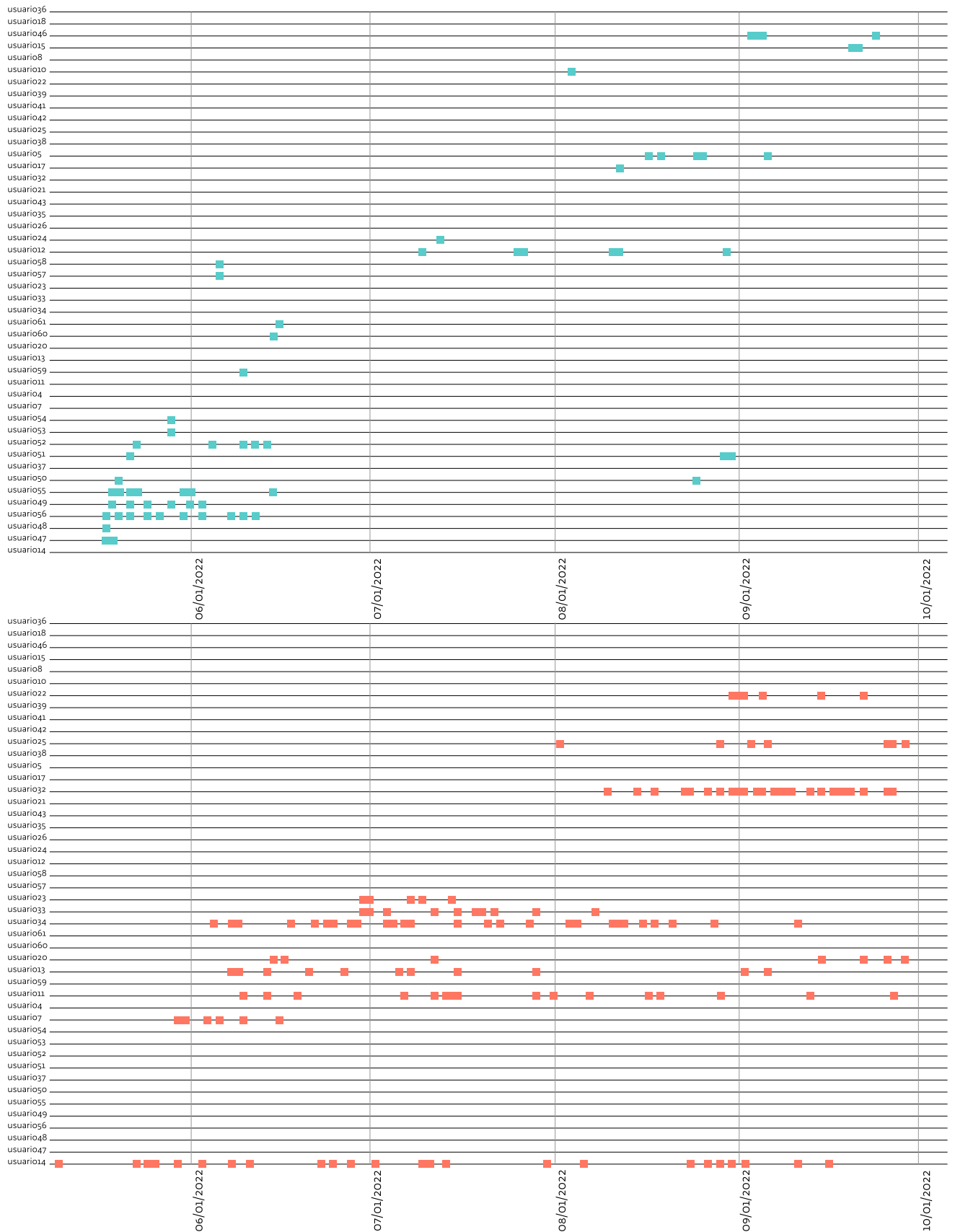
Based on a timeline, we tried to understand the user behavior better. By crossing each user’s information with that of the community in which they are grouped, curiously, users that were not identified with a community show a tendency to publish content right away.

GRAPH 9. DISTRIBUTION OF PUBLICATIONS BY DATE FROM USERS TO WHOM NO COMMUNITY WAS ASSIGNED



The rest of the communities do not reflect coordinated behavior among different users. In the graph, the more diagonal shapes or straight lines are formed, the greater the coordination displayed.

GRAPH 10. COMPARISON BETWEEN THE TIME DISTRIBUTION OF PUBLICATIONS BY USERS OF THE ORANGE COMMUNITY AND USERS NOT ASSIGNED TO A COMMUNITY



Quantitative language analysis

Other analyses have to do with the key words used. For this, the DataBasic.io word count function was used. In the first analysis, all the texts appearing in the descriptions of each post were entered.

In most cases, this field is filled with tags. The analysis shows that the tags most used correspond to cities in the Ecuadorian mountain range: “ambato” (72 mentions); “riobamba”, “cañar” (63 mentions) and “ecuador”. Also appearing is “azogues”, capital of Cañar, with 33 mentions.

The same observation can be applied to the texts displayed on the images. Some of the most popular bigrams are “estados unidos” [united states], “mas informacion” [more information], “por interno” [internally], “desde ecuador” [from ecuador] and “seguimos trabajando” [we keep working]. The most used trigrams are “para mas informacion” [for more information], “gracias a dios” [thank god], “salidas desde ecuador” [departures from ecuador], “por el puente” [over the bridge], “bendicion de dios” [god’s blessings], “solo gente seria” [only serious people] and “seguros y garantizados” [safe and guaranteed]. Here for the first time appears the importance of the religious component, which will be mentioned below.

Promises of heaven on earth vs. reality and risks

The open-source analysis makes it possible to observe behaviors that are unquantifiable, but that also show patterns. These have to do with the kind of offers made by the analyzed accounts, often exaggerated and, in all cases, risky.

“Family delivery” or trafficking of children and adolescents

Many of these accounts offer “reuniones familiares” [family reunification] with those migrants who are already in the us.

2022-06-25 11:26:36. “lo volvimos hacer entregas familiares para mi gente ecuatoriana garantizado” [once again we made family deliveries for my ecuadorian people guaranteed].

In the image accompanying the text, several children are observed walking and others being carried as they cross the border. Their faces are illuminated by the camera flash. Publications of this type are found by the dozen.

On September 6, 2022, the head of the U.S. border patrol for west Texas and New Mexico, Peter Jaquez, warned over his Twitter account:

“Agentes de la patrulla fronteriza de Santa Teresa localizaron a un niño de cuatro años, cerca de la frontera, que fue abandonado por despiadados contrabandistas. El niño ecuatoriano de tierna edad estaba en posesión de su pasaporte y de los datos de contacto de sus padres. Más de 19,651 niños no acompañados han sido encontrados este año fiscal 2022 [Santa Teresa border patrol agents found a four-year-old child, near the border, who was abandoned by heartless smugglers. The young Ecuadorian child had his passport and his parents’ contact information. More than 19,651 unaccompanied children have been found this fiscal year 2022].

Shortly afterward, it was revealed that the child came from Cuenca, one of the main cities in the southern Ecuadorian mountains (Redacción El Universo, 2022). His parents lived in New Jersey. In April 2021, surveillance images showed a smuggler throwing two young girls over the border wall, which is more than 4m high. The coyote left them there; he abandoned them. Shortly

afterward, the Ecuadorian consulate in Houston reported that the girls were Ecuadorian (Díaz, 2021). Between February 2017 and June 2021, one in three people captured by the U.S. border patrol were minors (Flagg & Preston, 2022).

Asylum for Ecuadorians?

Another common offer involves “entregas a migración” [handoffs to migration]. That is, crossing the border as a family, accompanied by children, and turning themselves over to the border patrol to file an asylum request.

2022-05-31 03:25:56. “aprovecha se abre la entrada para asilo politico desde el 31 de mayo” [take advantage entry for political asylum is open as of may 31].

The entry coincides with dates for the extension of Temporary Protected Status (TPS). What is not mentioned is that the status extension is only for Venezuelan citizens and only includes those who entered U.S. territory through March 2021 (Salomon & Torrens, 2022).

2022-07-20 16:00:23. “Ecuador, no se preocupen porque el asilo no es solamente para los de Nicaragua, para los de Venezuela, para los de Honduras y para los de Cuba. También para los ciudadanos de Ecuador. Estamos trabajando con la comunidad ecuatoriana. Les estamos armando casos poderosos, contundentes, para que lleguen al país donde los sueños se hacen realidad: los United States” [Ecuador, don’t worry because asylum is not only for people from Nicaragua, from Venezuela, from Honduras and from Cuba. It is also for citizens of Ecuador. We are working with the Ecuadorian community. We are putting together powerful, compelling cases, so you can come to the country where dreams come true: the United States].

The sequence has a man speaking with his face shown. His accent leads one to believe that he is not Ecuadorian. This face has also been seen in videos by accounts from other countries.

But the data tell another story. Asylum is granted not based on the seeker’s nationality but on parameters for separating those who migrate due to their economic situation from those who migrate under threat of a situation of violence or persecution.

This is the definition of asylum under U.S. law, according to the United Nations High Commissioner for Refugees: “A type of protection that entitles a person to remain in the US instead of being deported to a country where he or she fears being persecuted or harmed” (UNHCR, n.d.).

Although levels of violence in Ecuador have increased considerably in the last few years (Montaño, 2022), the country is not experiencing a situation of displacement. In 2021, the number of asylum seekers in the United States coming from Ecuador was 2,996 (Baugh, 2021). While Venezuelans and Nicaraguans are part of two of the nationalities most granted asylum in the US in 2021 (2,068 and 1,022 people, respectively), Ecuador is not found in these records.

“Financed trips”

Testimony gathered suggests that an Ecuadorian pays around 20,000 USD to reach the United States. Many people turn to savings and loan cooperatives to finance the coyote payment. Nobody guarantees that they will cross the border or that they will be able to remain in the US. All that depends on external factors, and, in many cases, the smuggler evades responsibility or disappears when trouble arises.

2022-06-10 21:56:50. “viajes FINANCIADOS sin dinero en ecuador todo pagan llegando” [trips FINANCED without money in ecuador everyone pays on arrival].

The publication has more than 2,000 user comments requesting information. This is one of the most repeated offers in the publications analyzed.

2022-05-25 22:48:55. “sabemos que van fiando sacando prestamos vendiendo sus animales sus cosas para cumplir el sueño americano con nosotros llega y paga SOLO GENTE QUE TENGA EL PASAPORTE ESCRIBIR PARA COBRARLE CUANDO LLEGUE” [we know that you travel on credit taking out loans selling your animals your belongings to fulfill the american dream with us arrive and pay ONLY PEOPLE WITH THEIR PASSPORT WRITE TO REQUEST PAYMENT WHEN YOU ARRIVE].

2022-05-27 12:05:32. “usted se gasta el viaje hasta Nicaragua. Nosotros desde ahí le financiamos hasta que llegue a Estados Unidos llega y paga” [you pay the trip to Nicaragua. From there we will lend you the money until you get to the United States arrive and pay].

The conditions for this offer are unclear. Paying on arrival means the family must pay on the day you arrive? Are medium- and long-term loans available?

Personal tastes and links to other activities

There are other connections that suggest links to other activities. One that stands out, having several connections, is a profile identified as an “agencia de streamer” [streamer agency].

There is little information available on what this entity does. However, judging by its publications, one can infer that it recruits women to “trabajar desde casa” [work from home]. Enormous sums of money are promised; it has a mobile app, “regalos” [gifts] and private chat rooms.

Other connections have to do with “agencias de viajes” [travel agencies] and accounts that provide “asesoría legal” [legal advice] on migration. One account leaps out that follows at least seven coyote profiles.

The person appearing in the video warns of the dangers of irregular migration and offers services to apply for a U.S. visa. The language used is similar to that used by accounts offering human trafficking, with recurring phrases such as “seguimos trabajando” [we keep working] or “gracias por confiar en nosotros” [thank you for trusting us].

The profile also uses a common technique in the spam, clickbait, electronic fraud and fake news market in Ecuador: the display of styles and typography similar to those used by the *El Comercio* newspaper (Díaz, 2022) with the goal of confusing.

TIKTOK’S RESPONSE TO THE ANALYZED PHENOMENON

In preparing this report, 11 questions were sent to the TikTok press and public relations department that were partially answered by a press release in which the platform stated that “it strictly prohibits content seeking to promote or facilitate criminal activities, including migrant smuggling. This content is eliminated from our platform. Likewise, we work with independent intelligence companies to strengthen our protection measures and report these incidents to the authorities as required.”

The platform also describes some of the actions used to detect and eliminate content that

violates their policies, although it did not delve into the scope of the phenomenon studied in this report::

We work hand in hand with industry partners and government authorities to identify and eliminate this kind of content [...].

To help maintain our platform as a safe and authentic space for everyone, we eliminate content that violates our Community Standards. Our Community Standards Enforcement reports help us meet our goal of being transparent with creators about the content we eliminate.

We use a combination of automated moderation, and we have a team of collaborators to identify and eliminate content that violates our standards.

Our last report on enforcing community standards (TikTok, 2022) indicates that in the second quarter of 2022 we eliminated 113,809,300 videos for violating our community standards:

Ninety-six (96) percent were eliminated before we were informed, 94% were eliminated within 24 hours and 91% were eliminated before they had a single view.

UNINHABITED HOUSES: A TRIP THROUGH CAÑAR

Halfway along the road connecting the Cañar and Azogues cantons (Cañar province) to Cuenca (Azuay), the Biblián area appears surrounded by hills. The city was constructed on an elevation, at the top of which is found the city's cathedral, with an imposing neo-Gothic style and panoramic view of a city that seems empty.

The panorama in Guapán and Aguilán, two rural sectors of that canton, is even more lonesome. Few people walk their streets, despite the zone being full of houses. Here the architecture also tells personal stories. The traditional adobe houses that are common in most rural towns of the Ecuadorian mountains are nearly extinct here, where the houses are mostly of concrete and have two or three stories. They are buildings that could be found in any upper middle-class neighborhood in Quito, Cuenca or Ambato. It is money from remittances sent by those who left that finances homes which are mostly empty or inhabited by children and older adults.

“Mi trabajo es casi completamente financiado por remesas” [My work is almost fully funded by remittances]. Valeria, an architect living in Biblián, recognizes emigration's impact on the economy of the communities like the one she lives in. The remittances sent to the country in 2021 broke an historic record. They even eclipsed numbers generated during the migratory process resulting from the economic crisis and bank holiday of 1999 and 2000. Furthermore, they are the highest on record since 1993 (Gestión de Balanza de Pagos y Comercio Exterior, 2021).

Valeria completed her architecture studies in Cuenca. Once graduated, it was hard to find work in that city, and she decided to look for clients in more remote areas like Biblián, Guapán and Aguilán. It was among migrant families that she found a market niche. The main means of promoting her work are social media, over which she captures new clients, nearly always migrants.

In 2021, the country received 4,362 million USD in remittances, of which 64% came from the US. Despite its limited territory, Cañar is the province with the fourth largest number

of remittances received, trailing only provinces with main cities like Guayas, Azuay and Pichincha. This is indicative of the large quantity of migrant population coming from the area and shows how construction can be financed in the middle of a rural situation characterized by need.

A good number of these houses remain half-built. Abandoned infrastructure, which perhaps at one time represented a family's dream. Neighbors tell how the parents sent money to build them for their children, but today the children have had to leave, in search of opportunities. Other houses are finished, but just as empty.

The dirt streets of Aguilán lead to a small, blue church where the feast of the Divine Child is celebrated. At the end of Mass, men dressed in suits carry the Christ figure to a community room located across the street from the church. There is a platform with a sound system. A truck arrives with a roast pig and there is food for all present.

Up to then, the residents of these areas had been open to talking about migration. But during the feast nobody wants to give their testimony. "Nosotros no hablamos de eso" [We don't talk about that]. Later, one source, whose name has been concealed, says that the coyotes invest large amounts of money in activities organized by the churches, which can be seen every few meters.

Cañar is the province that most stands out in the columns of statistics on migrant smuggling analyzed for this report. It is the place with the highest number of cases reported each year. It has fewer than 60,000 inhabitants and is one of the smallest provinces in Ecuador. Eighty per cent (80%) of its inhabitants live in rural areas and mainly work in subsistence agriculture.

According to information from the Poverty by Consumption survey (Instituto Nacional de Estadísticas y Censos, 2015), poverty rates in Cañar range from 35.1% to 46.7%. There is a significant segment of the population that does not earn enough money to cover the basic needs of the basic basket of goods, which as of today is worth 754.17 USD. In this province, the latest annual employment rate (formal employment) was 29.9% (Instituto Nacional de Estadísticas y Censos, 2021).

Seated on a sidewalk in Guapán, a small town in the rural area of Biblián, a group of people is conversing. They seem open to speaking into a voice recorder, as long as their names are not used.

In the middle of a pause in recording, a man acknowledges having performed coyote work in the past. Currently, he says, he is working in another occupation. He said he has not ruled out returning to it if need arises.

The recording starts up again, but the man stops talking in first person and positions himself on the other side of the conversation, i.e., of those who decide to migrate. He says that migration here is generational. "Años atrás, han abandonado los papás, últimamente, y han empezado a salir las mamás inclusive" [Years ago, fathers were abandoning, lately, and mothers have even begun to leave].

The first contact with the coyote is usually made through friends:

Le dicen: 'Esta persona está llevando, esta persona es buena para llevar, esta persona le deja en tantos días en América.' Se toma un mes, dos meses, tres semanas... Entonces, a través de una cadena de información y voluntariamente que nosotros hacemos, no porque ellos nos

buscan, sino porque nosotros les buscamos a ellos, porque queremos superarnos, queremos salir de este mundo en que vivimos [They say: ‘This person is taking [people], this person is good at taking [people], this person takes you in so many days to America.’ It takes a month, two months, three weeks... So, through a chain of information and voluntarily what we do, not because they seek us out, but because we look for them, because we want to improve our lives, we want to leave this world we live in].

The deal is nearly always personal:

Se puede decir, un coyote vive en tal casa, pero a veces no son esas, a veces renta una casa. Un coyote es como un animalito, como un cuy, por eso han puesto ‘coyote’. El coyote está aquí y a veces está por allá. Ellos nunca están en un solo lugar porque pueden pasar muchas cosas, puede suceder un caso de muerte, un secuestro, como se ha dado últimamente en México. Entonces ellos son los responsables directos. Discúlpeme... Tengo que salir” [You can say, a coyote lives in such-and-such house, but sometimes it’s not those, sometimes he rents a house. A coyote is like a little animal, like a guinea pig, that’s why they’ve called him ‘coyote’. The coyote is here and sometimes he’s over there. They are never in just one place because a lot of things can happen, a death can happen, a kidnapping, as has happened recently in Mexico. So, they are directly liable. Excuse me... I have to go].

The interview ends abruptly.

Yolanda walks along a steep ridge in Aguilán, surrounded by corn fields. A few meters ahead is her daughter, a young woman of 21 years old. She hesitates a bit in the beginning, but she agrees to give her testimony, cautiously. They are going to travel together in the coming week and, although they are fully decided on doing it, talking about it makes them afraid, since they will go with the help of a *pasador*.

Vamos a ir caminando, dijo el coyote. Vamos a ir primero por Venezuela o si no por Colombia, vamos a ver (...). Tal vez vamos en carro, dijo. No sé cómo será todo, la llegada, la hora, es decir no estamos seguros porque a veces mandan en avión [We are going to go by foot, said the coyote. We will first go through Venezuela, or maybe through Colombia, we’ll see [...]. Maybe we’ll go in car, he said. I don’t know how it will all go, the arrival, the time, I mean, we aren’t sure because sometimes they send you by plane].

In light of Yolanda’s firm decision to leave, it is unavoidable to think of all the threats she may face. Her trip will have several risks: for going by foot, for being two women alone and for the route they must travel.

“Nada más, ya toca confiar en ellos, no sabemos la verdad cómo nos lleven. Antes era directo a México y era más fácil. Ahora piden visa y no sé si nos avanzarán a sacar” [Just, we have to trust them, we don’t really know how they will take us. Before it was direct to Mexico, and it was easier. Now they’re asking for a visa and I don’t know if they’ll get us ahead to get it]. This uncertainty brings to mind reports in the last few months that have recorded thousands of cases of migrants who, in their trip by foot toward Central America to get to the US, must interrupt their course along the Pan-American route to cross the Darien Gap. This stretch, located between Panama and Colombia, has no highway and only houses a lush jungle, which has to be crossed to get back to the road, 140 km away.

It is a risky path through which 151,572 people have passed in the first nine months of 2022 (Agencia EFE, 2022) and where migrant smuggling rules, due to the heavy inflow of people who

want to get through there toward the US, 3,000 per day. In 2021, 51 deaths and disappearances were reported in the Darien (IOM, 2022).

In the open-source analysis conducted for this report, some offers of travel by land were uncovered.

“Aquí no hay dinero, yo ya no tengo familia, ya no tengo casa, no tengo nada” [Here there is no money, I don’t have any family anymore, I have no house, I don’t have anything]. Yolanda’s determination to leave Ecuador, without really knowing the conditions of her trip with the pasador, is a sign of her desperation, but also of her hope. “Yo quisiera comprar una casa y un carro, ver a la familia (allá), hacerles estudiar a mis hijas” [I’d like to buy a house and a car, see the family (over there), make my daughters study].

She says goodbye, a little more animated. “De que vamos a ir, vamos a ir” [We said we’re going, and we’ll go. Hurriedly, she goes uphill toward her new life, according to her, with nothing to lose.

CONCLUSIONS

The analysis of data gathered for this report demonstrates the initial hypothesis that there are organized networks for content creation that advertise migrant smuggling on TikTok from Ecuador. The investigation’s results show that this content is present in several Latin American countries, and sometimes accounts from other countries show connections to the profiles studied in this document.

The processes of human mobility, especially mass processes of irregular migration, have their roots in phenomena such as poverty, inequality and unemployment. Although in less in Ecuador, growing rates of violence, persecution and extortion in various countries around Latin America are also involved in this phenomenon.

While migrant smuggling is a crime, it is critical for the government to approach this phenomenon from a perspective accompanied by policies for inclusion, job creation and citizen safety.

People who decide to emigrate to the US irregularly know the risks entailed in the trip. Although disinformation on legal questions exists, the panorama of risks is evident for most of the people who make this decision. A patronizing attitude cannot be part of the initiatives to address this problem.

In Ecuador there are several towns whose economy is based on remittances generated by migration. Together with the work of coyotes, they are two indispensable engines for business and other economic activities, especially in rural sectors. While this phenomenon may partially slake the extreme poverty of these areas, it also leads to a vicious circle, since the resources stemming from remittances have not managed to be put into projects that foster local development, social inclusion or diversification of the economy.

Human trafficking is neither a recent phenomenon nor will it stop with a magic formula. Nonetheless, it is vitally important to also acknowledge that it must be fought, since it threatens the human rights of those who trust their lives to people dedicated to this activity.

As a social phenomenon that crosses many edges, it must be addressed from different angles and perspectives, taking into account a gender perspective, the rights and statutes protecting

children and adolescents and, in general, all the vulnerabilities to which people are exposed in human mobility. This means that in handling cases of migrant smuggling, without exception, the highest interest of the victims and survivors must prevail.

In the digital era, the diagnoses, treatment and fight against human trafficking cannot be performed without considering technology and internet-based communication.

The people involved in trafficking migrants do not act alone. They are part of international networks that have local “franchises” in areas with high rates of human mobility. In addition to Ecuador, the coyotes have a strong presence in countries like Colombia, Venezuela, Panama, Honduras, El Salvador, Nicaragua, Cuba, Haiti and Mexico. Throughout these countries there are migratory corridors and human trafficking networks.

These networks are visible not only through information gathered by these countries’ security agencies. Their presence in cyberspace leave a digital footprint that can be analyzed, monitored and moderated both by security and intelligence forces, and by civil society and the platforms themselves.

The promotion of offers of migrant smuggling takes place over nearly all communication mechanisms. Although this investigation is focused particularly on TikTok, it must be noted that even if this platform did not exist or did not have its current popularity, the advertising and communication of these activities would happen over other media.

But the visual and interactive component of TikTok enables sharing content using attractive forms of communication that facilitate dissemination of a kind of “romanticization” of irregular migration, which at any rate is present via other manifestations of popular culture.

Efforts by TikTok to moderate, censure, block and penalize content of this kind are visible but insufficient. This investigation has demonstrated that although the content is constantly eliminated, it pops up again. The accounts and publications are frequently recycled.

The result is that the content becomes more easily accessible. In addition, there is the fact that the behavior of these profiles is focused on creating the greatest possible engagement, due to which they are very active in following other profiles, constantly and nearly randomly, generally being based on geographic parameters and closely studying profiles that could be interested in their activities.

RECOMMENDATIONS

The report shows that open-source intelligence is an effective tool for investigating migrant smuggling networks. This kind of analysis must be replicated both by the platforms and by security agencies and civil society organizations.

But monitoring and oversight of content and the networks that generate it face various technical difficulties. In the case of TikTok, its application programming interface (API) presents limitations that make evidence gathering difficult. Thus it becomes necessary for the company to create more favorable conditions for external actors who can aid in the investigation of these phenomena.

Analysis of networks and communities can be incorporated in the security agencies that investigate these activities. This analysis, however, must be focused on dismantling criminal organizations and under no circumstances on criminalizing human mobility or restricting the

right to freedom of expression, enshrined in Article 13 of the American Convention on Human Rights (Convención Americana sobre Derechos Humanos, 1981).

To this end, it is necessary to establish clear protocols for using open-source investigation of these organizations, as mentioned in a document by the Centro de Estudios Sociales y Legales de Argentina (2022): A minimum degree of substantive suspicion is required regarding the existence of certain criminal phenomena, with a certain spatial, temporal and/or personal delimitation, and in relation to the probability of finding relevant data in the open source under question.

These guidelines must include the idea of minimizing data harvesting, as described in the Berkeley Protocol, developed by the Office of the United Nations High Commissioner for Human Rights, on the use of digital open source information in investigating human rights violations (Berkeley Protocol on Digital Open Source Investigations, 2022).

The data gathered through network analysis can be complemented with georeferenced data. The incorporation of geographic information systems is recommended, to unify the identification of communities in cyberspace and locate them in geographic positions.

The work of police to identify, analyze, investigate and then prosecute cases of migrant smuggling cannot function on its own; it needs regulatory and institutional tools to back it up. That is where each country's legislative bodies come into play: these should generate strategies, including joint regional measures, that enable legislation to be updated in several respects.

The participation of civil organizations and people in academia is critical to the design of this kind of legislation, since the regulations are highly technical and cut across various social borders and phenomena.

In parallel, it is necessary to consider the role of the companies themselves in the spread of this kind of content and the conditions that facilitate its dissemination. In 2018, more than one dozen organizations working at the intersection between human rights and technology designed the Santa Clara Principles on Transparency and Accountability in Content Moderation. These include recommendations for technology companies and government actors to ensure that content moderation is fair, unbiased, proportional and respectful of users' rights (Access Now et al., 2018).

Finally, it is recommended that this present analysis be repeated with a wider focus on Latin America. This report has determined that migrant trafficking networks not only operate in an organized manner in Ecuador, but also have ties to nodes in other countries around the region. A new analysis should include several countries that are part of the regional migration chain, such as Colombia, Venezuela, Panama, Honduras, Nicaragua, Haiti, El Salvador, Cuba, Guatemala Mexico and the United States.

REFERENCIAS

- Access Now, ACLU Foundation of Northern California, ACLU Foundation of Southern California, ARTICLE 19, Brennan Center for Justice, Center for Democracy & Technology, Electronic Frontier Foundation, Global Partners Digital, InternetLab, National Coalition Against Censorship, New America's Open Technology Institute, Red en Defensa de los Derechos Digitales, & WITNESS. (2018). *Santa Clara Principles on Transparency and Accountability in Content Moderation*. Santa Clara Principles. <https://santaclaraprinciples.org/images/santa-clara-OG.png>
- Agencia EFE. (2022). *3.000 migrantes pasan diariamente por Colombia camino al Darién* [3,000 migrants pass through Colombia to Darien daily]. <https://www.lahora.com.ec/mundo/3000-migrantes-pasan-diariamente-colombia-darien/>
- Baugh, R. (2021). *Refugees and Asylees: 2021*. 14.
- Canales, M. (2019, March 7). *Ley orgánica del uso responsable de las redes sociales: Expresión bajo acecho* [Organic law on the responsible use of social networks: Expression under siege]. Derechos Digitales. <https://www.derechosdigitales.org/12857/ley-organica-del-uso-responsable-de-las-redes-sociales-expresion-bajo-acecho/>
- Centralidad [Centrality]. (2019, October 10). GraphEverywhere. <https://www.grapheverywhere.com/centralidad/>
- Centro de Estudios Legales y Sociales – CELS. (2022). *Sobre el "Proyecto de protocolo de ciberpatrullaje"* [About the "Cyberpatrolling Protocol Bill"]. <https://www.cels.org.ar/web/wp-content/uploads/2020/04/CELS-sobre-protocolo-ciberpatrullaje.pdf>
- Código Orgánico Integral Penal – COIP. (2021). Ministerio de Defensa. https://www.defensa.gob.ec/wp-content/uploads/downloads/2021/03/COIP_act_feb-2021.pdf
- Convención Americana sobre Derechos Humanos [American Convention on Human Rights]. (1981). 7.
- Derechos Digitales. (2021, September 24). *El proyecto de ley para la regulación de las plataformas digitales atenta contra los derechos humanos* [The bill for regulation of digital platforms threatens human rights]. Derechos Digitales. <https://www.derechosdigitales.org/16767/el-proyecto-de-ley-para-la-regulacion-de-las-plataformas-digitales-atenta-contra-los-derechos-humanos/>
- Dereitos Na Rede. (2020, June 20). *PL das Fake News: Identificação e Criminalização em massa de usuários* [PL of Fake News: Identification and Mass Criminalization of Users]. *Coalizão Direitos na Rede*. <https://direitosnarede.org.br/2020/06/20/pl-das-fake-news-identificacao-e-criminalizacao-em-massa-de-usuarios/>
- Díaz, V. (2021). *Dos niñas ecuatorianas fueron lanzadas desde el muro fronterizo entre EE.UU. y México por coyoteros* [Two Ecuadorian girls were thrown from the border wall between the us and Mexico by smugglers]. *El Comercio*. <https://www.elcomercio.com/actualidad/seguridad/frontera-coyoteros-ninas-ecuador-muro.html>
- Díaz, V. (2022, June 22). *El diario ecuatoriano El Comercio no publicó esta supuesta cita de Leonidas Iza sobre protestas* [The *El Comercio* daily newspaper of Ecuador did not publish this alleged quote from Leonidas Iza on protests]. *Factual*. <https://factual.afp.com/doc.afp.com.32D247P>
- Fascículo provincial Cañar* [Provincial brochure for Cañar]. (2010). Instituto Nacional de Estadísticas y Censos. <https://www.ecuadorencifras.gob.ec/wp-content/descargas/Manu-lateral/Resultados-provinciales/canar.pdf>
- Flagg, A., & Preston, J. (2022). 'No Place for a Child': 1 in 3 Migrants Held in Border Patrol Facilities Is a Minor. *Politico*. <https://www.politico.com/news/magazine/2022/06/16/border-patrol-migrant-children-detention-00039291>
- García, O. C. (n.d.). *Redes y Sistemas Complejos Cuarto Curso del Grado en Ingeniería Informática* [Networks and Complex Systems; Fourth Qualifying Course in Systems Engineering].
- Gestión de Balanza de Pagos y Comercio Exterior. (2021). *Evolución Nacional de Remesas* [National Evolution of Remittances]. Banco Central del Ecuador. <https://contenido.bce.fin.ec/documentos/Estadisticas/SectorExterno/BalanzaPagos/Remesas/eren2021anual.pdf>
- González, M. (2021). *Migración hacia México se redujo, pero se incrementó a tres países* [Migration to Mexico decreased, but it increased to three countries]. *Primicias*. <https://www.primicias.ec/noticias/en-exclusiva/migracion-mexico-reduccion-incremento-tres-paises/>
- Instituto Nacional de Estadística y Censos. (2010). *Base de Datos – Censo de Población y Vivienda* [Database – Population and Housing Census]. <https://www.ecuadorencifras.gob.ec/base-de-datos-censo-de-poblacion-y-vivienda/>
- Instituto Nacional de Estadísticas y Censos. (2015). *Pobreza por Consumo* [Poverty by Consumption]. Instituto Nacional de Estadística y Censos. <https://www.ecuadorencifras.gob.ec/pobreza-por-consumo/>
- Instituto Nacional de Estadísticas y Censos. (2021). *Encuesta Nacional de Empleo, Desempleo y Subempleo ENEMDU Anual* [Annual Survey of Employment, Unemployment and Underemployment]. <https://www.ecuadorencifras.gob.ec/enemdu-anual/>

- International Organization for Migration – IOM. (2022). *Aumenta el número de personas de Venezuela que cruzan el Tapón del Darién* [The number of people from Venezuela crossing the Darien Gap increases]. <https://www.iom.int/es/news/aumenta-el-numero-de-personas-de-venezuela-que-cruzan-el-tapon-del-darien>
- Jokisch, B. (2007, March 29). *Ecuador: Diversidad en Migración* [Ecuador: Diversity in Migration]. Migrationpolicy. Org. <https://www.migrationpolicy.org/article/ecuador-diversidad-en-migracion>
- López, E. (2011). La Pobreza y su relación con la Migración como problema social [Poverty and its relationship to migration as a social problem]. *La Revista de Derecho*, 32, 85–117. <https://doi.org/10.5377/lrd.v32io.1252>
- Ministerio de Gobierno. (n.d.). *Trata y tráfico* [Human trafficking and smuggling]. <http://www.trataytrafico.gob.ec/home>
- Montaño, D. (2022, August 10). Homicidios en Ecuador se han duplicado en 2022 [Homicides in Ecuador have doubled in 2022]. GK. <https://gk.city/2022/08/10/homicidios-en-ecuador-se-han-duplicado-en-2022/>
- Organization of American States – OAS. (2004). *Protocolo Contra el Tráfico Ilícito de Migrantes por Tierra, Mar y Aire, que Complementa la Convención de las Naciones Unidas Contra la Delincuencia Organizada Transnacional* [Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime].
- Redacción El Universo. (2022, September 7). *De Cuenca salió niño que fue hallado solo cerca de frontera México-Estados Unidos* [The boy found alone near the Mexico–United States border came from Cuenca]. El Universo. <https://www.eluniverso.com/noticias/ecuador/de-cuenca-salio-nino-que-fue-hallado-solo-cerca-de-frontera-mexico-estados-unidos-nota/>
- Salomon, G., & Torrens, C. (2022, July 11). EEUU extiende TPS para venezolanos hasta marzo de 2024 [US extends TPS to Venezuelans through March 2024]. *Los Angeles Times en Español*. <https://www.latimes.com/espanol/eeuu/articulo/2022-07-11/eeuu-extiende-tps-para-venezolanos-hasta-marzo-de-2024>
- Sánchez, C. (2022a, February 6). *Esta es la nueva ruta que promocionan coyoteros para llevar ilegalmente a migrantes desde Ecuador a EE.UU. Salen de #Quito y van a Nicaragua, siguen a Honduras, pasan a Guatemala y continúan a México. De allí pasan la frontera por California, Arizona, Nuevo México o Texas*. <https://t.co/OmnkpvGOgk> [This is the new route promoted by coyotes to illegally bring migrants from Ecuador to the U.S. They leave #Quito and go to Nicaragua, continuing on to Honduras, passing through Guatemala and then to Mexico. From there they cross the border in California, Arizona, New Mexico or Texas]. [Tweet]. Twitter. <https://twitter.com/Sanchezmendieta/status/1490318077585764354>
- Sánchez, C. (2022b, November 21). *7,077 migrantes de Ecuador detenidos en EE.UU.* [7,077 migrants from Ecuador detained in the US]. <https://elmercurio.com.ec/2022/11/21/7-077-migrantes-ecuador-detenidos-eeuu/>
- TikTok. (n.d.). *Normas de la comunidad* [Community Guidelines]. TikTok. <https://www.tiktok.com/community-guidelines#34>
- TikTok. (2022, June 27). *Informe de cumplimiento de las Normas de la comunidad* [Community Guidelines Enforcement Report]. TikTok. <https://www.tiktok.com/transparency/community-guidelines-enforcement-2022-1/>
- United Nations. (1948). *Universal Declaration of Human Rights* | United Nations. <https://www.un.org/es/about-us/universal-declaration-of-human-rights>
- United Nations High Commissioner for Refugees – UNHCR. (n.d.). *What is asylum?* <https://help.unhcr.org/usa/applying-for-asylum/what-is-asylum/>
- United Nations Office of the High Commissioner for Human Rights. (2022). *Berkeley protocol on digital open source investigations: A practical guide on the effective use of digital open source information in investigating violations of international criminal, human rights and humanitarian law*. Human Rights Center, UC Berkeley School of Law.
- United Nations Office on Drugs and Crime – UNODC. (2010). *The globalization of crime—A transnational organized crime threat assessment*. <https://www.unodc.org/unodc/en/data-and-analysis/tocta-2010.html>
- U.S. Customs and Border Protection. (2022). *Southwest Land Border Encounters (By Component)* | U.S. Customs and Border Protection. <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>
- Voces digitales indígenas. (2021). *Céntrico Digital*. https://f.hubspotusercontent40.net/hubfs/453694/insumos_tt/ebook_tt.pdf
- Zibell, M. (2022). Las decenas de desaparecidos que deja la “migración invisible” desde Ecuador hacia EE.UU. [The dozens of disappeared left by “invisible migration” from Ecuador to the US]. *BBC News Mundo*. <https://www.bbc.com/mundo/noticias-america-latina-60725041>

Venezuela

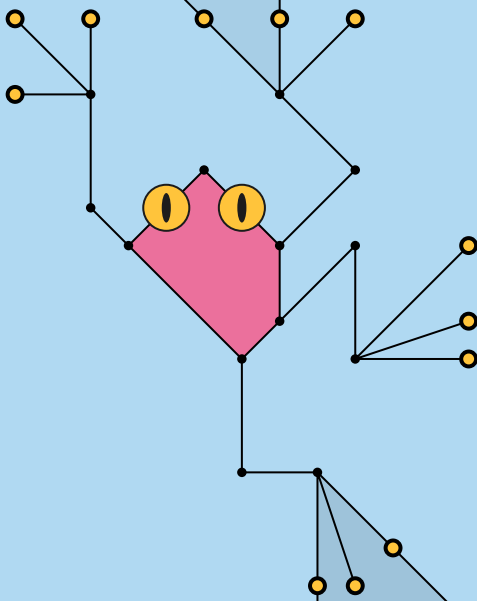
The investigation by Espacio Público attempts to understand the way that public and private institutions respond to online gender-based violence, using the study of two cases of harassment against Venezuelan women journalists.

In the first case, the search for effective legal responses ends with procedural omission, which is a violation of the right to timely access to justice, established in the American Convention on Human Rights and the Belém do Pará Convention as human rights standards. Vulnerability is found throughout the process, from the formal complaint to the legal system's ruling. The state thus appears as a "double victimizer," manifested first in the bullying of its public agents and then by the omission of justice in applying the law.

In the second case, Twitter's response to complaints filed by a female sports reporter who suffered years of online harassment is examined. In its analysis, Espacio Público concludes that the platform lacks an effective procedure for addressing complaints of online harassment with a gender approach, and that their review and appeal procedures are inadequate. This is a particularly worrying conclusion given the changes that the company has implemented in the last few months, including massive firings of the teams responsible for analyzing and responding to this kind of complaint; discontinuity in processes for reviewing policies for enforcement of human rights standards; and the sudden termination of civil society participation in the Trust and Safety Council.

Sadly, the panorama offered by this investigation conducted in Venezuela will resonate in other parts of Latin America, where access to justice has an enormous debt pending with women victims of different forms of violence.

In 2020, the United Nations Special Rapporteur on violence against women presented a report (A/HRC/44/52) on the causes and consequences of gender-based violence against women journalists, with an emphasis on online violence. The report proposed recommendations to States and other actors of interest that include mechanisms to guarantee immediate access to protection measures for women journalists when they are threatened. The report also posits the importance of recording, as a way of compiling and studying the different ways in which gender-based violence is expressed on the internet, as well as the need to strengthen the complaint procedures available in international human rights standards and the specific instruments for protecting women journalists' rights against discrimination and gender-based violence.



On their own against online gender-based violence: Public and private responses to complaints filed in Venezuela

*Espacio Público*²⁶
<https://espaciopublico.org>

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(26)

Espacio Público

is a nonprofit, non-governmental, independent and autonomous civil society organization whose objective is the promotion and defense of human rights, especially freedom of speech, the right to information, and social responsibility in social media.

SUMMARY

This report covers cases of online gender-based violence toward two Venezuelan reporters, in retaliation for exercising their right to freedom of speech online in the course of their work. Using a semi-structured interview and public access information, we address institutional responses to complaints of harassment in both cases: on the one hand, the conduct of the Venezuelan legal system when faced with an alleged perpetrator who acted on various occasions toward different affected individuals; and on the other, Twitter's response to long-term harassment. Both the public and the private response reflect structural failures and a lack of gender focus, extending the harm to work, psychological and emotional levels.

INTRODUCTION

Structural gender-based violence, seen in *machismo* and heteronormative frameworks, is shaped by prevailing cultural elements that exacerbate patterns of human rights violations. The situation of women in undemocratic contexts increases vulnerability, given the lack of institutional containment limiting different forms of violence. Impunity is thus consolidated, which in turn can drive an increase in attacks since cost and consequences—whether legal or moral—are absent.

In Venezuela, the structural crisis severely affected the capacity of public institutions to respond to citizen complaints, both individually and socially. By prioritizing partisan political criteria in public administration and decision-making, government mediation for guaranteeing, protecting and respecting human rights slowly disappeared. The result is a population exposed to diverse forms of violence, by either government action or inaction.

In the case of Venezuelan women, 290 were victims of femicide²⁷ in 2021, and at least 415 were rescued from trafficking networks, forced prostitution and sexual violence (Red Naranja, 2022). The formal absence of the state, especially in mining zones headed by parastatal groups, has exacerbated modern slavery dynamics (Centro de Derechos Humanos de la Universidad Católica Andrés Bello, 2021).

In addition, the participation of women in public life, including that taking place on the Internet, is subject to a series of restrictions that also stem from cultural practices amplified by the lack of either public or private institutional responses. Stereotypes about gender are used to question women's ability to exercise their right to express themselves publicly or to work as journalists. The criminalization of critical speech is mixed with insults and messages belittling the condition of being a woman, seeking to discredit not just the work, but the person. The excuse of legitimate criticism is used to try to disguise messages with clearly sexist connotations that discredit women for being women. This situation has implications for the exercise of freedom of expression from a gender perspective that requires actions from both the state and privately held platforms.

The purpose of this report is to illustrate, based on two cases, the effects of online gender-based violence as retaliation for exercising free speech and to assess public and private responses, as well as the challenges these pose to the authentic protection of and respect for human rights, using a qualitative analysis based on semi-structured interviews of the people affected.

The cases studied begin with formal complaints filed with public and private institutions to report alleged acts of gender-based violence.²⁸ Our goal is to analyze the responses to these complaints, without delving into defense strategies or substantive legal assessment with

(27) In Venezuela, femicide is considered the extreme expression of gender-based violence, motivated by hatred or scorn for the condition of being a woman, which leads to her death, occurring in both public and private spheres. According to the reform of the Organic Law on Women's Right to a Violence-free Life, November 25, 2014.

(28) In a prior reform of the Organic Law on Women's Right to a Violence-free Life, done in 2021, an article was incorporated proposing the creation of a National Commission to Protect Women's Right to a Violence-free Life.

respect to the crimes mentioned. It is based on a reasonable, documented premise that types of violence existed, as set forth in national legislation and international norms.

THE STATE AS DOUBLE VICTIMIZER

Starting in May 2022, the mayor of El Tigre, in Anzoátegui state in northeastern Venezuela, Ernesto Paraqueima, together with other town officials, began a smear campaign against journalist Nilsa Varela and the *El Vistazo* newspaper, the media outlet she owns. This campaign consisted primarily of disseminating images over WhatsApp and Facebook and included the use of fake accounts.

Among other accusations, the mayor claimed that the *El Vistazo* paper was allied with an area criminal group, in relation to the coverage the outlet gave to the call for a strike by town shop owners after an increase in fees for trash collection. The messages linked Valera to the former mayor, Ernesto Raydán, ostensibly to slander Paraqueima's new administration using the media outlet. From then on, accusations and slanderous messages targeting the paper and Varela were constant, kept up in a sustained and deliberate manner over several months.

Later, in *Mundo Oriental*, a media outlet headed by the mayor's son, Sandino Paraqueima, a column was published questioning a news item published by *El Vistazo* that reported on the petition brought before the courts to annul a decree by the mayor related to the Fospuca company.²⁹ This column alluded to Nilsa Varela and made accusations to foment public contempt for the journalist.

In light of this, Nilsa reported the harassment and the media and psychological violence, filing a complaint against the director of *Mundo Oriental*, Sandino Paraqueima; the mayor of El Tigre, Enrique Paraqueima; Nelson Millán, Environment Director and the municipal official responsible for maintenance; Williams Urquiola, director of the Cleto Quijada passenger terminal; and Orlando Marín, director of outreach and people power accompaniment at the mayor's office. The complaint was filed on August 9 with Special Public Prosecutor's Office No. 18 for gender-based violence in El Tigre (Vargas, 2022a).

A pattern of violence

On May 28, 2021, Varela filed the first report of gender-based violence and instigation of hatred³⁰ against Juan Manuel Muñoz for having expressed and made accusations toward her and the professional activity she conducts at the *El Vistazo* newspaper as a university graduate in Social Communication. The facts refer to publications on different social networks and WhatsApp groups, which affected her emotional and job stability, where "este ciudadano" [this citizen] tried to undermine the journalistic work she performs in the El Tigre community, in Anzoátegui state.

(29) Fospuca is a private trash collection company that operates in several municipalities around the country. It has been reported on several occasions for high fees. More information at TalCual, 2021.

(30) The complaint was based on Article 20 of the constitutional law against hate, for peaceful coexistence and tolerance, with the aggravating factors provided for in Article 21 of the same text, typifying the crime of inciting hatred; and Articles 39 and 40 of the Law on Women's Right to a Violence-Free Life, which typify the crimes of psychological violence and harassment, respectively.

The case was accepted by the Fourth Public Prosecutor's Office of the Ministry of the Interior in Anzoátegui state. On August 18, 2021, a proceeding was added requesting the accused's mandatory appearance, applying Article 72.4 of the Organic Law on Women's Right to a Violence-free Life (henceforth "Organic Law"), as well as the adoption of protective measures for Nilsa Varela, pursuant to Articles 72.5 and 47 of the Organic Law. On October 20, 2021, Varela filed a complaint with the National Office for Women's Defense, a branch of the Ministry of the Interior based in Caracas, due to the procedural delay in her case and demanding protection for her safety.

In March 2022, Paraqueima was reported to the Public Defender's Office by the former first lady of El Tigre, Yemdy Alcalá de Raydan (Vargas, 2022b), who highlighted the mayor's offensive manner toward women and media violence exercised via a radio program, as well as the "La Guillotina" and "El Inspector" columns in the *Mundo Oriental* outlet.

More recently, Mayor Paraqueima was accused for a third time of gender-based violence, this time by Antonieta Chacín (Vargas, 2022c), a social leader, retired teacher and former Councilor of the town of Independencia, in Anzoátegui state. Chacín formalized the accusation with the Public Defender's Office in November 2022 after receiving offensive messages from Paraqueima in reply to a question over WhatsApp.

Absent justice

Valera's two complaints were not backed up by relevant actions from the legal system. In the first, as evidence of a procedural omission that violates a basic guarantee in favor of women, the appearance of the alleged perpetrator was not ensured. The second presents the same omission and is also joined by other complaints from public women against the acting mayor for gender-based violence. The facts provide substantive grounds for the government to activate its prevention and investigation mechanisms, but the response has been silence.

The legal system also failed to act diligently despite the fact that the complaints include issues of public interest. One such issue refers to the allegedly sustained and deliberate nature of the online attacks, which would presumably be linked to the exercise of journalism in the political realm. Another consists of the possible incursion of public officials in practices of sexual harassment and other types of gender-based violence. A last question marks the correspondence of these complaints with a context that restricts freedom of expression and journalistic work in Venezuela, which is one of the pillars of its democratic and constitutional crisis, generating a more adverse scenario with differential impact for the group of women journalists.

In light of the lack of due diligence in prevention and investigation of the reported acts, seen in the *de facto* paralysis of the process due to the failure to deliver on the appearance of the alleged perpetrators, as well as the denial of protective measures, it can be concluded that the legal processes initiated are not guaranteeing the right to speedy, serious and effective justice for Nilsa Valera, in contravention of the standards set forth in Article 7 of the Belém do Pará Convention as regards Articles 8 and 25 of the American Convention on Human Rights. This lack of legal protection highlights the accuser's vulnerability, while making the legal system an actor in perpetuating the structural discrimination that women suffer, especially those women participating in public spaces in an undemocratic context like that of Venezuela.

Varela says that the road to justice has been particularly difficult, starting with fighting a political and economic conglomerate that has contacts and power. "Después está el proceso de llegar a acuerdos con los abogados (...) a veces dejan de apoyarte, en otros casos pretenden que quedes en deuda de por vida" [Then there is the process of reaching agreements with the lawyers [...]]

sometimes they stop supporting you, in other cases they try to leave you in a lifetime of debt]. Lastly, she accuses the Ministry of the Interior: “Aunque hay excelentes funcionarios, dependen mucho de los acuerdos y los tiempos políticos. Hacer cumplir las leyes queda en segundo plano” [Although there are excellent officials, they depend heavily on political agreements and timeframes. Enforcing laws gets put on the back burner]. All in all, her efforts to seek justice have led her to confront the maze of the judicial structure.

Repercussions and expectations

The case includes gender impact that is not foreseen by the justice system. For Nilsa Varela, having gone through several episodes of gender-based violence that are associated with retaliation by two mayors, based on her professional work, feeds a sense of uncertainty and fear, where the option of everything getting worse is always present. In testimony given to Espacio Público, she shares that her experience:

lleva a pensar que se puede pasar de un escrito difamatorio a que te lancen el carro [auto] en la calle o que alguien quiera lastimarnos, a mí, a mi familia o al equipo de trabajo. Eso te obliga a cambiar tus hábitos de trabajo diario, reforzar tu seguridad y la de tus compañeros. [it leads to thinking that it could go from a slanderous text to them gunning their car toward you in the street or that someone could want to hurt us, hurt me, my family or the work team. This makes you change your daily work habits, strengthen your security and that of your colleagues.]

As a final message, the journalist expresses that her primary motivation is to make it known that in Venezuela there are other crimes against women, crimes that are not talked about at all. She concludes by asserting her right to work and her right to be respected as a female journalist. “Estoy orgullosa de mis pasos. (...) estoy convencida que mis denuncias, mi decisión de alzar la voz como venezolana no está cayendo en saco roto” [I am proud of my steps. [...] I am convinced that my complaints, my decision to raise my voice as a Venezuelan woman, is not falling on deaf ears].

Women’s right to access to justice in cases of gender-based violence

In their report on access to justice for women victims of violence in the Americas, the Inter-American Commission on Human Rights (IACHR) established the existence of a framework of structural discrimination against women that affects the justice system’s response in a crosscutting manner.

The rhythm of legislative, political and institutional changes in American societies have outpaced the rate of change in the culture of men and women in the face of violence and discrimination, and this problem is reflected in the response of officials in the justice system to acts of violence against women (IACHR, 2007).

Despite formal changes, on the American continent a pattern of systematic impunity persists in judicial prosecution and actions involving cases of violence against women (IACHR, 2007).

In response to the context of structure inequality against women, the Belém do Pará Convention recognizes an essential link between women’s access to adequate legal protection against acts of violence and the eradication of the discrimination that perpetuates these acts. Under the terms of Article 7 of the Belém do Pará Convention, access to justice requires applying the principle of due diligence in situations of known risk or that could have reasonably been known about, “to prevent, investigate and impose penalties” and the reparation of the violations and avoiding impunity (IACHR, 1994).

As part of the principle of due diligence, Article 7.D of the Belém do Pará Convention establishes the obligation for the State to adopt legal measures to require the aggressor to refrain from harassing, threatening, harming or endangering the life of women, which is a subcomponent of the obligation to guarantee access to justice under Articles 8 and 25 of the American Convention on Human Rights (henceforth “ACHR”) (IACHR, 2007, note 4). In this sense, the IACHR added, in its *Report on the Situation of Human Rights Defenders in the Americas*, that States’ interim relief actions must be ensured using remedies that are “simple, urgent, informal, accessible and processed by independent bodies” (IACHR, 2006), beyond their local normative naming. In the case of women who report violations of their rights, the availability and efficacy of these interim relief measures is a defining indicator of access to justice.

The IACHR incorporated into the standards of the inter-American system a differentiated approach for women journalists, according to the *Women Journalists and Freedom of Expression Report*. States must develop gender perspective in legal policies and programs for addressing cases of crimes against journalists based on the concept of double vulnerability, which includes both the risks inherent to the professional role and those specific to gender. This approach contemplates appropriate responses to online violence, “including sexual and gender-based violence and abuse of women [...] engaging in public debate [who] are targeted for their expression” (IACHR, 2018).

Gender perspective in cases of online violence against women journalists generates differentiated obligations in the duties of prevention, protection, pursuit of justice and reparation. In terms of prevention, States must “ensure [their] public statements contribute to preventing violence against journalists” (IACHR, 2018). In terms of protection, they must adopt special protocols that contain, among other elements, preferential attention, differentiated risk analysis and protection measures targeted to avoiding forms of online harassment or violence, which must be issued by independent authorities in cooperation with online intermediaries and platforms (IACHR, 2018). This is essential for guaranteeing that women journalists may continue to exercise their profession online and participate in spaces for democratic deliberation.

In terms of pursuit of justice, the inclusion of lines of investigation around online gender-based violence and its link to freedom of expression is a priority as part of due diligence.

LONG-TERM DIGITAL HARASSMENT

Four years ago, Jesús Aguilera began a harassment and smear campaign against the sports broadcaster and journalist Mari Montes, who specializes in baseball. The digital persecution started from one of Aguilera’s Twitter accounts.

Initially, the messages were geared to questioning Montes’ knowledge of baseball, although she is a member of the American Association of Baseball Writers and the author of six books and a theatrical monologue, and coauthor and producer of a documentary on the subject.

The discrediting messages were repeatedly fueled by slander and other falsehoods about Montes and her family. This content, shared from Aguilera’s account, declared that he had a private document showing that Oscar Prieto Párraga is the biological father of the broadcaster’s oldest son and that, thanks to this supposed link, the writer’s son got a job as a baseball commentator.

According to Montes, one of Aguilera’s followers spread an image of her with a player while she conducted an interview in Dunedin, Florida. Although the user deleted the tweet, Aguilera

captured the image to compare it with a photo of Oscar Prieto and thus keep up the campaign around Prieto's alleged paternity of Montes' son. Likewise, Aguilera refers to Montes' son disparagingly.

The journalist states that the pattern of persecution, harassment and mockery fomented by Aguilera has spread to his followers, who repeated the slanderous remarks and mockery on Twitter and other platforms, as well as on live streams.

On February 21, 2021, Montes filed a complaint with Twitter for alleged violation of the social network's community rules. She charged there were harassment practices that included discrediting her work and intellectual condition, which she points to as type of gender-based violence,³¹ as well as the spreading of false narratives about her family, including the publication of edited images of her and her son. These abusive behaviors took place continually, due to which the account was denounced on several occasions. However, the company's response has always been that the account has not violated any established policy.

The complaint states that the harassment is part of:

una campaña que repercute en mi trabajo, y en el de mi hijo (...); sus seguidores [de la cuenta reportada] se hacen eco y también nos acosan, no solo en Twitter, sino en otras plataformas como Instagram (...). La impunidad le hace ir aumentando el calibre de las cosas que nos escribe. [a campaign that affects my work and that of my son [...]; his followers [of the reported account] become an echo chamber and also harass us, not only on Twitter but also on other platforms such as Instagram [...]. Impunity makes him ratchet up the striking power of the things he writes about us].

In the text, Montes stated her fear that some of his followers could do something more than take a picture of them while they're working. The situation has affected her peace of mind at work. The attacks have escalated to the level of showing up in the context of the journalist's live streams, during which followers of the reported account enter the digital conversation to discredit her.

Twitter responded as follows:

after reviewing the available information, we wish to inform you that the account mentioned has not violated our safety policies. We know that this is not the response you hoped for. If from here on out this account violates our policies, we will send you a notification. You can block the account, which means that it will not be able to follow you, see your Tweets or send you messages [...].

Standards for online platforms and gender-based violence

Companies have responsibilities with regard to human rights. The United Nations Guiding Principles on Business and Human Rights establish a general framework of duties by businesses to "protect, respect and remedy" (UN Human Rights Council, 2011) the impact on human rights in the framework of their activities and operations. As such, the then UN Special

(31) La denuncia del 21 de febrero de 2021 expresa que "la situación es más que incómoda, es algo que pone en peligro mi trabajo y la reputación que he construido a lo largo de 20 años. Esto no es solo hostigamiento, sino que es violencia basada en el género".

Rapporteur for Freedom of Expression, Frank La Rue, indicated in his Regulation of *Online Content Report* that businesses must:

a) Refrain from causing or contributing to any negative consequence for human rights and try to prevent or mitigate these consequences (Principle 13) [...]; c) Conduct due diligence activities with which the potential repercussions of their activities on human rights are identified, addressed and accounted for [...]; f) Provide appropriate reparations, including the use of dispute resolution mechanisms at an operational level to which users may have access without increase their 'feeling of impotence' (Principles 22, 29 and 31). (Special Rapporteur for Freedom of Opinion and Expression, 2018)

The UN Special Rapporteur for Violence against Women, Its Causes and Its Consequences, Dubravka Šimonovic, reports in *Eradicating Violence against Journalists* (2020) that:

investigations indicate that inadequate and deficient responses from intermediaries regarding online gender-based violence can have a negative effect on freedom of expression, which leads to censorship by platforms, self-censorship or censorship by users, and does not provide harassment victims any kind of reparations.

In its Women Journalists report, the IACHR Office of the Special Rapporteur for Freedom of Expression (IACHR, 2018) complements this information as follows:

the policies and terms of service on harassment, threats and other abuses have been denounced as being usually applied in a discriminatory and decontextualized manner, in detriment to the right to freedom of expression of women victims and other users who belong to historically vulnerable groups.

As an effective response, the Special Rapporteur proposes that online platforms “must adopt transparent, accessible and effective complaint mechanisms for cases of online violence against women, that take into account women journalists’ needs” (IACHR, 2018).

The Special Rapporteur states that intermediaries must report on the kind of content that may be removed, the way that this could be done, and whether reporting or complaint mechanisms, as well as appeal mechanisms, exist. Furthermore, the Special Rapporteur indicates that companies must explain their decisions to those who file complaints on their platforms, demonstrating that they meet the requirements for motivation and prohibition of arbitrary censorship (IACHR, 2018).

In her *Gender Justice and Freedom of Expression* report (2021), UN Special Rapporteur for Freedom of Expression Irene Khan defined a set of concerns regarding online gender-based violence and other forms of discrimination against women in the area of content moderation by social network companies. Among other issues, she warned of “the lack of consideration of local contexts” (Khan, 2021) in responding adequately to the abuses that are denounced and the existence of “gender bias” where:

the establishment of rules by social media platforms (...) reflect the prejudices and world views of those who set the norms, who tend to come from the sociocultural context specific to Silicon Valley: homogeneous from a racial perspective and elitist from an economic perspective. (Khan, 2021)

The Special Rapporteur goes even further, demanding a paradigm shift in the tech industry environment to be compatible with gender issues. The platforms must create greater

awareness and sensitivity to gender issues in their institutional operations and activities. In her words:

At a systemic level, it is necessary to keep in mind and address the needs of female users so that the solutions are effective and can be broadened. This approach is adapted to the obligations of the Contract for the Web that companies such as Facebook, Instagram, WhatsApp, Google, Microsoft and Twitter have signed on to. (Khan, 2021)

No response

According to The Twitter Rules, the company's purpose is:

to serve the public conversation. Violence, harassment and other similar types of behavior discourage people from expressing themselves, and ultimately diminish the value of global public conversation. Our rules are to ensure all people can participate in the public conversation freely and safely.³²

The community rules regulate certain behaviors that affect the safety and privacy of the public conversation. In the section on safety, "abuse/harassment" is prohibited, under the general statement that "You may not engage in the targeted harassment of someone or incite other people to do so. This includes wishing or hoping that someone experiences physical harm" (Twitter. General Rules). In reviewing the categories of behavior prohibited by the company,³³ two rules were found that could be in line with the Montes case: i) "Using insults, profanity, or slurs with the purpose of harassing or intimidating others;" ii) "Encouraging or calling for others to harass an individual or group of people."

The first category establishes that:

We take action against the use of insults, profanity, or slurs to target others. In some cases, such as (but not limited to) severe, repetitive usage of insults or slurs where the primary intent is to harass or intimidate others, we may require Tweet removal. In other cases, such as (but not limited to) moderate, isolated usage of insults and profanity where the primary intent is to harass or intimidate others, we may limit Tweet visibility (...).³⁴

This category may be relevant to the case. However, Twitter excluded this possibility when it announced that the measures it would take for violation are applied not to the users' accounts but to certain tweets, limiting itself to deleting or reducing the visibility of some publications. For this reason, Twitter clarifies that "(...) while some individuals may find certain terms to be offensive, we will not take action against every instance where insulting terms are used."³⁵ This

(32) "The Twitter Rules", available at <https://help.twitter.com/es/rules-and-policies/twitter-rules> (Spanish) or <https://help.twitter.com/en/rules-and-policies/twitter-rules> (English).

(33) Other categories of behavior prohibited in the section on safety are "violent threats;" "wishing, hoping, or calling for serious harm on a person or group of people;" "unwanted sexual advances;" and "Denying mass casualty events took place." (Twitter. Abusive behavior. op cit., note 29).

(34) "The Twitter Rules", available at <https://help.twitter.com/es/rules-and-policies/twitter-rules>

(35) "The Twitter Rules", available at <https://help.twitter.com/es/rules-and-policies/twitter-rules>

conduct rule does not fit the type of problem denounced by Montes, since it does not enable the resolution of bullying cases where one or more actors exercise repeated behaviors that involve rationales of physical persecution of certain people, producing diverse consequences.³⁶

The second category establishes that:

We prohibit behavior that encourages others to harass or target specific individuals or groups with abusive behavior. This includes but is not limited to: calls to target people with abuse or harassment online and behavior that urges offline action such as physical harassment.³⁷

This rule is even vaguer than the previous one, since it does not define what it considers “encouraging” or “behavior that urges offline action.” The statement leaves Twitter a wide margin for interpretation, stripping the user of guarantees.

The lack of description of the regulated behavior and of specific examples of applying its anti-harassment standards are backed up by a discretion rule. In the Twitter section on “when its rules are enforced,” the following information appears: “We will analyze complaints of accounts that, by adopting any of the following behaviors in their Tweets or Direct Messages, attack a person or a group of people. And, based on our analysis, we will take measures for it.”³⁸

After a quick search on the company’s website,³⁹ no information was found on how the decision-making process for harassment complaints and other types of gender-based violence is self-regulated. The community rules do not specify any internal procedures, norms or criteria by which online harassment complaints are channeled and decided. Nor was detailed information on complaints and company responses on the subject found. This situation opens up the possibility of arbitrariness and calls for implementing transparency and accountability mechanisms for content moderation, including for the building and intervention of algorithms, in harmony with international human rights standards.

In light of the lack of available information, it is possible that the internal complaint mechanisms do not consider it necessary to encourage responses with a gender perspective or project a review and appeal mechanism using a specialized, independent body.

The Twitter Rules do not seem to include a factor in their decisions weighing the impact that the experience of harassment could have on the rights of the complainant and, when

(36) As of this writing there is no single definition of cyber bullying. In general terms, it can be defined as an intentional and repeated activity conducted using computers, cell phones and other electronic devices, that may or may not constitute inoffensive acts when considered separately, but which, together, constitute a pattern of threatening behaviors that undermine a person's feeling of safety and they elicit fear, anguish or alarm (IEGE, 2017: 4; PRC, 2018; Maras, 2016). This activity may also target the victim's family members, friends or intimate partner (OAS, 2021).

(37) "The Twitter Rules", available at: <https://help.twitter.com/es/rules-and-policies/twitter-rules>

(38) "The Twitter Rules", available at <https://help.twitter.com/es/rules-and-policies/twitter-rules>

(39) Transparency reports on rules enforcement are semi-annual. In no case was the indicated information obtained. (Twitter. Rules Enforcement).

relevant, on the group to which she belongs. The gaps in self-regulation also favor patterns of harassment that lead to retaliation and censorship of marginalized voices, which amplifies online gender-based discrimination and its repercussions in the physical world. In this sense, the company's service policies deny conditions for the freedom of expression and equality of women journalists.

In conclusion, Twitter lacks an adequate, effective procedure for addressing complaints of online harassment because it ignores international standards of due diligence, freedom of expression and gender equality. This negatively affects Mari Montes's situation as a woman journalist who has been required by the company, like many women around the world, to face the false dichotomy of either putting up with the attacks and the consequences of a toxic digital environment in exchange for enabling her public voice, or abandoning or reducing her online participation, also assuming the costs entailed.

CONCLUSIONS

For the true fulfillment of women's human rights, the analysis and scope of violations of freedom of expression from a gender perspective contribute considerations for studying the situation, as well as for possible long-term solutions.

A violence-free life can only take place based on a full guarantee of human rights as a whole. Up to now, States have been those legally responsible and the only victimizers in human rights violations, strictly speaking. Therefore, they can be held liable for the actions of individuals when the former fail to facilitate access to justice for the resolution of what, in theory, are crimes under local criminal law. This makes it possible to address the situation beyond direct government responsibility when analyzing its relationship to diverse perpetrators.

In the public sphere, the experience of the cases analyzed and some prior ones (Espacio Público, 2021) replicate the lack of justice and, in particular, of effective protection against risks that continue to be present in parallel with the activation of legal proceedings whose results drag on over the medium and long term. The existence of a complaint and formal investigation of an alleged perpetrator and the lack of effective protocols for prevention, protection and pursuit of justice for the affected person can increase her risk considerably. In addition, the feeling of vulnerability can increase, which has relevant effects at the psychological, emotional and physical levels.

The State's obligations with regard to online gender-based violence run through a set of actions, in addition to the guarantee of due process, as follows:

- 1) Prevention, with measures creating awareness of the types of violence and offering information on protective services to avoid their repetition.
- 2) Protection, which translates to establishing procedures for immediately eliminating content that is harmful due to gender, through the removal of the original material or of its distribution. Protection also requires the adoption of immediate legal measures via national warrants and the rapid intervention of internet intermediaries and, in some cases, may also require extra-territorial cooperation.
- 3) Punishment entails the obligation to penalize responsible parties for their crimes, using any necessary penalties that are proportional to the criminal act. The assurance of appropriate punishment sends the message that violence will not be tolerated and avoids perpetuating a culture of impunity.
- 4) Reparations and compensation mechanisms, which, depending on the case, could include

economic compensation, the immediate deletion of harmful content, as well as forms of restitution, rehabilitation, satisfaction and guarantees of non-repetition, which combine symbolic, material, individual and collective measures, depending on the circumstances and the victim's demands (Special Rapporteur for Violence against Women, Its Causes and Consequences, 2018).

In the case of Twitter, the lack of effective responses and the application of generic protocols end up facilitating harassing practices. The scope of the policies does not benefit the affected women in any way, and they do not decrease the harm caused, quite the opposite. And despite the fact that the company is apparently aware of this (stating “this is not the response you hoped for”), it does not consider alternatives, since it acts according to a broad regulation that ignores standards regarding human rights with a gender perspective.

Twitter's policies represent the lack of progress despite the responsibility it has to respect human rights, i.e., to prevent situations threatening users' rights from spreading or remaining unchanged, even when the platform is not the one implementing such practices. In this sense, the Rapporteur's office proposed that:

Although emphasis has been placed on the companies' responsibilities and on the intermediaries' human rights, less attention has been given to the way in which their policies and practices affect women. Investigations indicate that the inadequate and deficient responses of intermediaries to online gender-based violence can have a negative effect on freedom of expression, which leads to censorship by the platforms, self-censorship or censorship by other users, and does not provide harassment victims any kind of reparations.⁴⁰

The lack of effective responses to cases of online gender-based violence affects the quality of public online debate, since women choose to generate defense mechanisms that ultimately lead to inhibition and self-censorship out of widespread fear and uncertainty that persists over time based on the lack of containment. Both States and private interests and intermediaries have responsibilities to meet, either directly or indirectly, with regard to freedom of expression and women's right to live free from violence. More efficient mechanisms based on clearer and more detailed policies will enable a more welcoming environment for exercising rights without retaliation.

RECOMMENDATIONS

The information and analysis arising from the cases addressed enables the formulation of one general recommendation for the State and another for Twitter, with the goal of building up response capacities. Without prejudice to other, complementary proposals, we recommend the following:

To the State: Guarantee the application of the Belém do Pará Convention in its legal processes and transparency policies to ensure an institutional response in harmony with the rights of women victims of violence in digital spaces. In addition to the Convention, there is a

(40) Report of the Special Rapporteur for Violence Against Women, Its Causes and Consequences on online violence against women and girls from a human rights perspective (2018), available at <https://acoso.online/site2022/wp-content/uploads/2018/10/G1818461.pdf>

compendium of human rights regulations, recommendations and guidelines that contribute to facilitating the duties of prevention, protection, pursuit of justice and reparation with a gender-based approach.

To Twitter: Strengthen its framework for transparency, due process and accountability, reinterpreting its regulations, processes and decisions in accordance with international human rights obligations, especially women's rights. It is important for the company to adopt a general due diligence policy with a gender-based approach that serves to publicly and collectively address, among other issues, the possible risks, repercussions and limitations of its practices, products and/or services on public women, such as women journalists, considering their demands and needs for protection within the kind of public digital space that the company aspires to promote.

The conditions that make possible an independent, efficacious justice that is sensitive to gender issues as regards the participation of women in digital environments require that public and private authorities guarantee adaptation of response mechanisms to the standards of due diligence, freedom of expression and gender equality provided for in international treaties and in the recommendations of protective bodies. These actors must address these general recommendations:

1. Produce high-quality statistical information broken down by diverse social categories on cases of online gender-based violence, using a clear, accurate conceptual framework that shines light on the definitions applied, types of attacks reported, actors, circumstances of commission, impact on rights, challenges and limitations of response mechanisms, as well as proposals for actions to overcome them.
2. Publish standards, moderation processes and decision-making criteria regarding online harassment, as well as other forms of gender-based violence, that include information on how these questions are implemented using detailed explanations supported by specific examples that make it possible to understand the grounds for the responses offered. In addition, the concept of algorithmic transparency is pertinent, in a format accessible to diverse audiences, as well as the need to open up data.
3. Constitute a diverse, autonomous team specialized in women's rights and human rights that is granted broad powers to propose binding standards and reforms in the framework of public and private responses. The creation of a government or private advisory council, according to the type of authority to intervene in cases of gender-based violence and to establish regulatory precedents is a desirable proposal.
4. Ensure that the external public, mainly women's groups and audiences specialized in women's rights, are heard and their opinion duly considered as part of periodic evaluations of the operation of public and private responses to cases, situations and social contexts involving impact on women's rights in the digital ecosystem.

REFERENCIAS

- Centro de Derechos Humanos de la Universidad Católica Andrés Bello. (2021, May). *Formas contemporáneas de esclavitud en el estado Bolívar* [Types of contemporary slavery in Bolívar state]. <https://ln5.sync.com/dl/bd429c6ao/9z68sirs-ryrv8n72-8trza46k-2m33e4mb/view/doc/7874010210014>
- Espacio Público. (2021, June). *Violencia digital de género contra las mujeres en Venezuela*. Análisis de casos [Digital gender-based violence against women in Venezuela. Case analysis]. https://espaciopublico.org/wp-content/uploads/2021/07/Informe_Violencia-digital-de-genero-contra-mujeres-en-Venezuela-Jun2021.pdf
- Inter-American Commission on Human Rights – IACHR. (1994, June 9). *Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women* (Belém Do Pará Convention).
- IACHR. (2006, March 7). *Informe sobre la Situación de las Defensoras y Defensores de los Derechos Humanos en las Américas* [Report on the Situation of Human Rights Defenders in the Americas]. <http://www.cidh.org/countryrep/defenders/defenderschap1-4.htm>
- IACHR. (2007, January 20). *Acceso a la justicia para mujeres víctimas de violencia en las Américas* [Access to Justice for Women Victims of Violence in the Americas]. <http://www.cidh.org/pdf%20files/Informe%20Acceso%20a%20la%20Justicia%20Español%20020507.pdf>
- IACHR. (2018, October 31). *Mujeres periodistas y libertad de expresión* [Women Journalists and Freedom of Expression]. <http://www.oas.org/es/cidh/expresion/docs/informes/MujeresPeriodistas.pdf>
- Organization of American States – OAS. (2021, October 21). *Violencia de género en línea contra niñas y mujeres: Guía de conceptos básicos, herramientas de seguridad digital y estrategias de respuesta* [Online gender-based violence against girls and women: Guide to basic concepts, digital security tools and response strategies]. <https://www.oas.org/en/sms/cicte/docs/Manual-Online-gender-based-violence-against-women-and-girls.pdf>
- Red Naranja. (2022, October 31). *Carta abierta: Las mujeres, niñas y adolescentes deben estar en el centro de la toma de decisiones y sus derechos deben ser garantizados* [Open letter: Women, girls and adolescents must be at the heart of decision-making and their rights must be protected]. <https://rednaranja.com.ve/activismo/carta-abierta-las-mujeres-ninas-y-adolescentes-deben-estar-en-el-centro-de-la-toma-de-decisiones-y-sus-derechos-deben-ser-garantizados/>
- Special Rapporteur for Freedom of Opinion and Expression. (2018, April 6). *Regulación de los contenidos en línea* [Regulation of Online Content]. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/096/75/PDF/G1809675.pdf?OpenElement>
- Special Rapporteur for Freedom of Opinion and Expression. (2021, July 30). *Justicia de género y libertad de expresión* [Gender Justice and Freedom of Expression]. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/212/19/PDF/N2121219.pdf?OpenElement>
- Special Rapporteur for Violence against Women, Its Causes and Consequences. (2018, June 18). *Informe de la Relatora Especial sobre la violencia contra la mujer, sus causas y consecuencias acerca de la violencia en línea contra las mujeres y las niñas desde la perspectiva de los derechos humanos* [Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences on online violence against women and girls from a human rights perspective]. <https://digitallibrary.un.org/record/1641160?ln=en>
- Special Rapporteur for Violence against Women, Its Causes and Consequences. (2020, May 6). *Erradicación de la violencia contra las periodistas* [Eradication of Violence against Women Journalists]. <https://digitallibrary.un.org/record/3870659?ln=en>
- TalCual. (2021, September 3). *Juzgado admite demanda de nulidad contra alcaldía de Iribarren por tarifas del aseo urbano* [Court accepts petition to annul a decree against Iribarren Mayor's Office for garbage collection fees]. <https://talcualdigital.com/juzgado-admite-demanda-de-nulidad-contra-alcaldia-de-iribarren-por-tarifas-del-aseo-urbano/>
- Twitter. *Aplicación de las reglas* [Rules Enforcement]. https://transparency.twitter.com/en_en/reports/rules-enforcement.html#2021-jul-dec
- Twitter. *Comportamiento abusivo* [Abusive Behavior]. <https://help.twitter.com/en/rules-and-policies/abusive-behavior>
- Twitter. *Las reglas de Twitter* [The Twitter Rules]. <https://help.twitter.com/en/rules-and-policies/twitter-rules>

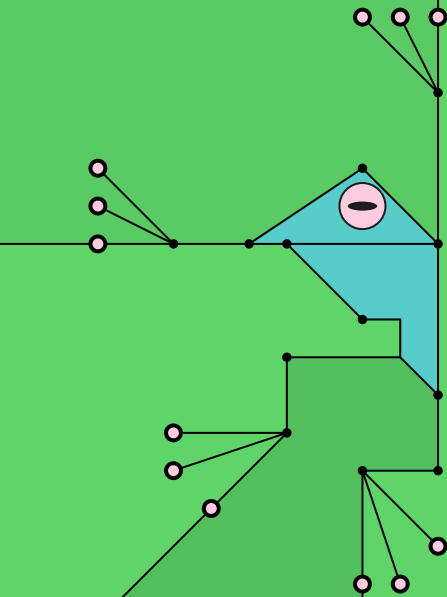
- UN Council on Human Rights. (2011, June 16). *Principios rectores sobre las empresas y los derechos humanos: puesta en práctica del marco de las Naciones Unidas para ‘proteger, respetar y remediar’* [Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework]. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf
- Vargas, N. V. (2022a, March 9). Anzoátegui: Grupo de mujeres se suma al reclamo contra programa radial de Paraqueima [Anzoátegui: Group of women join the complaint against Paraqueima’s radio program]. *Diario El Vistazo*. <https://diarioelvistazo.com/anzoategui-grupo-de-mujeres-se-suma-al-reclamo-contra-programa-radial-de-paraqueima/>
- Vargas, N. V. (2022b, August 15). Periodista Nilsa Varela denuncia a Sandino Paraqueima, al alcalde Ernesto Paraqueima y tres directores de la Alcaldía de El Tigre por violencia de género [Journalist Nilsa Varela denounces Sandino Paraqueima, Mayor Ernest Paraqueima and three directors of the El Tigre Mayor’s Office for gender-based violence]. *Diario El Vistazo*. <https://diarioelvistazo.com/periodista-nilsa-varela-denuncia-a-sandino-paraqueima-al-alcalde-ernesto-paraqueima-y-tres-directores-de-la-alcaldia-de-el-tigre-por-violencia-de-genero/>
- Vargas, N. V. (2022c, November 2). Se registra tercera denuncia contra el alcalde de El Tigre por violencia de género [Third complaint against the mayor of El Tigre for gender-based violence is received]. *Diario El Vistazo*. <https://diarioelvistazo.com/se-registra-tercera-denuncia-contra-alcalde-de-el-tigre-por-violencia-de-genero/>

Brazil

How do organized civil society and human rights defenders decide on the use of information and communication technologies? Research by MariaLab delves into the cybersecurity and infrastructure challenges facing social movements in Brazil, inquiring into the perceptions held by organizations on issues such as the usability, cost and security of these tools, as well as more structural factors that define and help to better understand the logic behind each choice. One of the hypotheses contemplated in the investigation is that the selection of tools must be understood in light of various social inequalities.

MariaLab's research shows that digital tools play an essential role in the institutional development of civil society organizations, even alongside formal operating conditions. But it also reveals a significant gap that makes it difficult to adopt free and autonomous technologies, distinct from those produced by large, multinational technology firms. This is perhaps where this work's greatest value lies, since understanding the experience of civil society organizations is essential to the development of better technology: free, autonomous and useful.

Ultimately, the research demonstrates the need to address these issues both structurally and collectively, not as an individual failing but as part of a series of structural problems that constitute the different kinds of access gaps, both in Brazil and around the region.



Platformization and digital infrastructure in the context of human rights defenders in Brazil

*MariaLab*⁴¹
www.marialab.org

By Daniela Camila de Araújo and Patricia Morimoto Minamizawa

SUMMARY

This research focuses on the effects on human rights organizations in Brazil of platformization and the intense virtualization of work. The study was conducted by MariaLab using data collected through online questionnaires answered by representatives of civil society organizations from different areas of activity, with a special focus on feminist collectives. We identified that the Google application suite is the tool most used by organizations, and the adoption of alternative tools, based on free and autonomous technologies, faces barriers such as the tools' performance, gaps in the digital infrastructure, usability and accessibility, and the learning curve and adaptation. Although many aspects of technical performance were mentioned, the choice of technological alternatives seems to be influenced more by political perspective than by the characteristics presented by one tool or another. In this sense, an emphasis on sharing knowledge about technopolitics and digital care are possible ways to confront the platformization and dominance of surveillance capitalism companies. Moreover, it is important to think about the conditions for sustainability of autonomous infrastructures, training of specialized professionals, and the formation of a digital ecosystem where the premise of protecting human rights is incorporated from the design of technologies.

(41)

MariaLab is a non-profit association with no ties to political parties or private sector companies, operating at the intersection between politics, gender and its technologies.

INTRODUCTION

The movement to resist the growing concentration of power over information and communication technologies has always been characterized by a commitment to free, autonomous technologies, understood here as technical artifacts that seek a model of development and sustainability that does not depend on proprietary services and market logic. Furthermore, these technologies challenge centralized and hierarchical modes of technological production, and the origins of the concept lie in the free software movement, community networks and hacktivism.

Whether in the maintenance of free radio stations and activist servers,⁴² the provision of online services⁴³ or the creation of community networks,⁴⁴ human rights organizations have developed modes of technological appropriation and creation of disruptive projects and are also engaged in fostering this debate.⁴⁵

However, for many organizations, activists and professionals working in the defense of human rights, the possibilities for taking ownership of free and autonomous technologies still face structural, access and knowledge barriers. On the other side of this equation are online platforms designed for easy and often free access, but under opaque data use policies. In addition to the problematization of the impact of insertion in a market whose business model is massive data collection, for human rights organizations there are also effects on security and autonomy.

According to D'Andréa (2020), in dialogue with Van Dijck et al. (2018), some aspects characterizing the concept of online platforms are the adoption of a computational architecture based on connectivity and data exchange, automation via algorithms, and formalization under business models. The platforms are sustained under robust infrastructures and are consolidated based on a paradox in which on the one hand there is centralization of information and financial flows and on the other, interoperability in an ecosystem of platforms.

Online platforms are the basis of "surveillance capitalism," a term developed by Shoshana Zuboff (2018) to define a new capitalist mode of production based on the processing of large databases (*Big Data*), aiming to capture information that makes it possible "to predict and modify human behavior as a means to produce revenue and market control." Google can be considered the pioneer of this method of capitalist accumulation, followed by large

(42) For a more extensive list of standalone servers, visit <https://help.riseup.net/en/radical-servers> and <http://backbone409.calafou.org/participants/index.en.html>; on feminist servers, see <https://anarchaserver.org/> and <https://systerserver.net/>.

(43) Examples of services maintained by Riseup: email <https://riseup.net/pt/email/webmail>; text editor <https://pad.riseup.net/>; VPN <https://help.riseup.net/en/vpn>. Services maintained by Vedetas: text editor <https://antonieta.vedetas.org/>; spreadsheets <https://eveliyn.vedetas.org/>; online conferencing services <https://mariavilani.vedetas.org/>.

(44) Examples of community networks: get to know NUPEF's work with the community of quebradeiras de côco; Research-action that created the community network in Quilombo Terra Seca.

(45) Video produced by the Women's March Global highlighting corporate power over digitalization.

corporations such as Meta, Amazon, Microsoft, Apple and Tesla. However, the logic of surveillance capitalism has become a model followed by countless companies.

From this context, we come to the notion of platformization, which seeks to explain the relationship of dependency that various sectors experience with online platforms (Nieborg & Poell, 2018; D'Andréa, 2020). We can mention some examples, such as cultural production linked to platforms like Spotify, YouTube, Netflix and Amazon; the impact of Airbnb on tourism; Uber and Ifood and the intense transformation and increasing precariousness of work; changes in the dynamics of journalism to adapt to the logic of social networks; and the enormous prevalence of Microsoft and Google in education.

The adoption of platforms gained momentum during the Covid-19 pandemic, due to the need for social distancing to contain the spread of the virus. This demand has amplified remote work and extended the need for virtualization to almost all sectors of social life: health care, education, income transfer policies and even interpersonal relationships. Organized civil society began to include audio and video conferencing platforms more intensively, in addition to an expansion of the use of cloud services for editing and sharing files. Although many of these actions have been adopted as an emergency response to the pandemic period, it seems that they will continue in many fields, tending to give new meaning to our relationships mediated by digital technologies.

Morozov (2020) warns that the state of global crisis has made technological solutionism (“solucionismo tecnológico”) grow, under which it is upheld that since there are no alternatives (or time, or money), the best we can do is put digital bandages on the damage. Digital technology is deployed as a solution to complex problems, while discussion of neoliberal policies is avoided. Far beyond issues of security and privacy, the risk is the consolidation of this approach as standard, atomizing our capacity for political imagination. In this context, disruptive technological initiatives, which seek solidarity economies outside the market logic, would be doomed to failure.

The impacts of these policies are still uncertain, but some indicators can already be followed through studies produced to question intense platformization.

In education, the advance of platformization has led to a scenario subject to surveillance and weakening of educational institutions' autonomy over the management of research data, professionals and students. Cruz and Venturini (2020) point out that the consequences of this model are still uncertain but indicate that insecurity about data protection, the collection and monitoring of student and faculty behaviors and performance, in addition to the rankings resulting from this surveillance tend to aggravate social inequalities and weaken public education, already greatly affected by the divestment and scrapping of institutions.

If we take the considerations of Cruz and Venturini (2020), in which conditions for access are pushed to maximum precariousness and the technologies of large digital capitalism companies appear as a last resort for scarcity, we begin to sketch out an understanding of a scenario that also directly affects human rights organizations.

Especially in a context of increasing digital attacks and threats against activists, worsening political violence (Instituto Marielle Franco, Justiça Global & Terra de Direitos, 2020; Revista Azmina & Internetlab, 2021), and uncertainty regarding state surveillance mechanisms (Abreu & Antonialli, 2017; Venturini et al., 2019), trusting the storage and circulation of sensitive

information and sensitive data belonging to organizations, activists and social movements to large platforms of surveillance capitalism seems a very high risk to take.

A report produced by Associação Brasileira de ONGs – Abong (2021) highlighted, among other factors, the surveillance and control of information through digital technologies as a strategy to implement the bureaucratic criminalization of civil society organizations. In a scenario of political crisis and the possibility of collaboration between platforms to provide data in processes criminalizing these groups (Abreu & Antonialli, 2017), confidential information about the activities of organizations and their members endangers the safety of the people involved or is used in smear campaigns that directly impact organizations' reputation and credibility, as well as their funding possibilities. In addition, organizations are subject to the market model of online platforms in which massive data collection and sharing is the rule, and privacy policies can be changed in favor of companies and not their users.⁴⁶ We must also consider the risks of data leakage and cases where there is blocking or censorship of online communications, caused by external attacks or as a response determined by controversial community standards.

This does not mean, however, that organizations, activists and users are absolutely hostage to platformization. There is a multiplicity of uses and reappropriations, as well as disputes around internet governance policies (D'Andréa, 2020). The objective of this article is, above all, to demonstrate how civil society is thinking about the advance of corporate control of surveillance capitalism and how it affects these groups' technological decisions.

METHODOLOGY

We gathered information about the use of digital platforms by human rights organizations and sought to know the groups' perceptions on the subject. In addition to listing the tools most used, we asked about their user experiences and any security incidents that occurred in the last four years. We sought to draw parallels with the experience of using free technologies and software as an alternative to platformization.

We created an anonymous questionnaire⁴⁷ and invited organizations to respond. We chose to allow anonymous answers to avoid unnecessary data collection and also enable organizations to respond without the worry of being evaluated on their choices.

The form was created using multiple-choice questions,⁴⁸ and we added essay questions so that the answers also included opinions and evaluations from the groups.

(46) An example of this practice was the change in WhatsApp's privacy policy implemented in 2021, which made it mandatory to accept it under penalty of being unable to use the application.

(47) The questionnaire was built using LimeSurvey software at its own instance on the server Vedetas, maintained by MariaLab.

(48) In the multiple-choice questions, each person could indicate more than one option since it is common for organizations to make use of multiple tools in the course of work. Therefore, the percentages presented in the survey results should be considered in relation to the total number of valid answers (20). For example, stating that software A reached 90% and software B reached 65% means that the former was flagged by 18 and the latter by 13 among the 20 organizations.

Among the groups invited to participate in the study, we initially prioritized the feminist organizations and collectives with which MariaLab has the closest relationships. Approximately one hundred organizations were invited in this first call, of which 30% are identified as feminist groups, 60% are active in defending the rights of the LGBTQIA+ community, 10% are women in technology groups and another 30% correspond to different areas of activity. Most of the organizations are in the Northeast and Southeast regions, but we included representatives from all five regions of the country. In terms of size and degree of formalization, we do not have precise information, but we sought to include a range from informal collectives to medium-sized organizations with a presence at the national level.

In a second stage, we expanded the invitation list through messages and mailing lists, including other organizations and disseminating the call for participation in broader discussion groups, such as techno-activists, rural and homeless worker movements, Indigenous organizations, etc.

We analyzed the results qualitatively, correlating the statistics with the long-form answers and the inferences we can make based on this scenario. It is important to note that our analysis also carries with it our own experience in the field as consultants and educators in digital care. We cannot sequester the knowledge located and accumulated over our eight years of operation, nor do we want to do so. We understand that this coupling allows us a contextual analysis that goes beyond the data collected.

As a way to bring MariaLab's contribution to this debate, we dedicated a chapter to situating our perspective on the development of feminist technologies. We will highlight in particular the experience at the TransHackFeminist event (THF!), which took place in Calafou in August 2022.

SAMPLE PROFILE

The data were collected between August and September 2022, and we reached a total of 41 contributions, of which only 20 were valid.⁴⁹ There was a balance in the sample between organizations that called themselves feminists and those that did not identify themselves within this profile, both representing 40% of the sample. Another 20% gave no answer to this question.

Among feminist organizations, the following movements were represented in the study:

- Black feminism
- Indigenous feminism
- Asian feminism
- Lesbian feminism
- Cyberfeminism
- Transfeminism
- Ecofeminism/Agroecology
- Sexual and reproductive rights movement
- Anti-capitalist and anti-racist popular feminism
- Feminist bisexualities
- Black women movement in all sectoral agendas

(49) Of the 41 total records in the form, only 20 were completed and submitted, so we considered only complete records for the analysis of the result.

We identified the following areas of activity, considering the two strata of the sample: feminist organizations and those that did not identify themselves as such:

- Agroecology, solidarity economy and feminist economics
- Reproductive health and justice
- Digital and organizational security
- Popular legal services
- Training and research in technopolitics
- Domestic violence
- Right to communication
- LBT women
- Digital rights and social technology cooperative
- Education and communication with a focus on race and gender
- Institutional policy
- Right to the city, right to land and women's rights

WHAT DRIVES TECHNOLOGY DECISIONS?

Analyzing the results of the research, we understand that knowing the criteria that guide organizations' technological decision-making is a key element to understanding the digital tools that have been used the most. Practicality of use (65%), security (55%) and gratuity (35%) are the main requirements, and we will present discussion of the results based on these categories of analysis.

CHART 1. CRITERIA FOR CHOOSING DIGITAL TOOLS

What are the main criteria used by your organization to define the choice of a digital tool?

ANSWER	RECuento	PORCENTAJE
Practicality of use	13	65.00%
Security	11	55.00%
It is free	7	35.00%
Works well even when the internet connection is bad	5	25.00%
Tools developed in free software	5	25.00%
Lightweight apps that take up little space on your phone/computer	4	20.00%
Privacy Policy	3	15.00%
Language in Portuguese	3	15.00%
Accessibility	2	10.00%

PRACTICALITY

The choice of applications that are practical corresponds to differences in digital literacy, a concern raised by organizations, considering that their own team members, their beneficiaries and the external public in general may encounter difficulties in using digital tools. This aspect is quite important in the context of human rights defenders, because barriers to technological appropriation are often influenced by age group, education level and social class. Therefore, tools considered easy to interact with and use are chosen accounting for social inequalities.

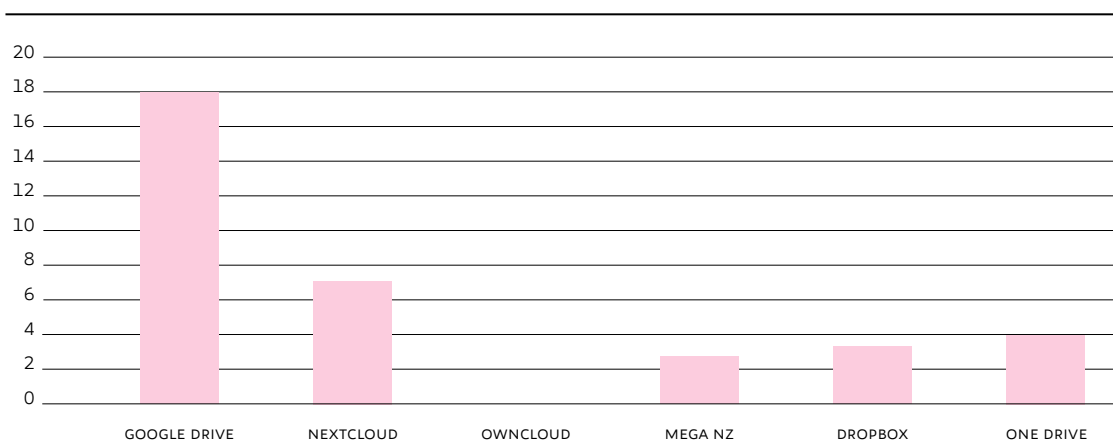
There has been a significant increase in households with internet access in the country (the rural area reached 71%, an increase of 20 percentage points compared to 2019, and the urban area totaled 83% of households with internet) and, at the same time, the disparity in access between class A and classes D and E has been reduced (in 2015 the difference was 83 percentage points and in 2021 it fell to 39). However, we observe some differences in the way the internet is being used in some strata. For 61% of people who were not literate and for 74% of those who studied only until elementary school, lack of computer skills is one of the reasons for never having access to the internet, surpassing even lack of interest and price of connection. In households without internet where the family income is up to three minimum wages, they do not know how to use the internet or it is too expensive.

In addition to the groups' administrative organization, the answers also highlight concern with the possibilities for access by the people and communities with whom these groups work directly. Considering that many of these communities are located in regions of low connectivity, the search for alternatives that best serve these groups is almost always a priority. The North region, for example, has the highest percentage of access by mobile connection (33%), while the South region has the highest connectivity over fiber optics (72%). It is common to see a distinction between platforms designed and used internally and those used for external communication.

Considering the premise of practicality, let us see which tools have been most used by these groups based on quantitative data.

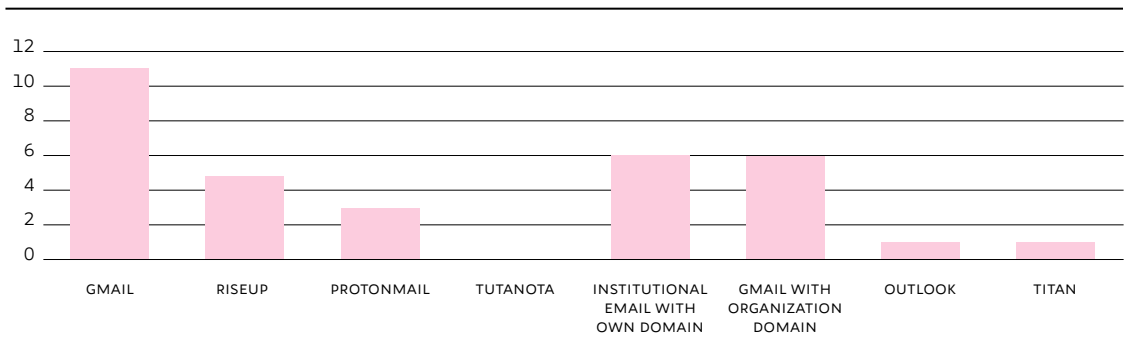
Among cloud services for file storage, Google Drive is used by 90% of organizations and Nextcloud is the cloud platform for another 35% of the sample. Next comes OneDrive, Microsoft's cloud service, with 20%, and finally Dropbox and Mega Nz, each used by 15% of organizations.

FIGURE 1. CLOUD SERVICES FOR FILE STORAGE



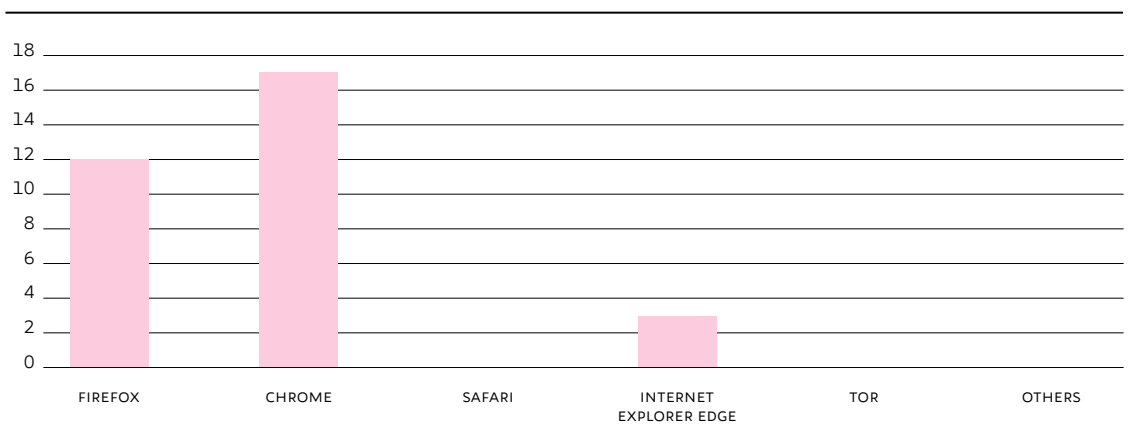
Among email services, a similar proportion is repeated, with 85% of answers pointing to Gmail (taking together answers for "Gmail" and "Gmail with organization domain"), while 30% use other email services with their own domain, 25% use Riseup, and 15% are using Protonmail.

FIGURE 2. EMAIL SERVICES



Google Chrome and Firefox are the most used internet browsers, with 85% and 60% of the answers, respectively. Google Forms is used by 70% of the sample among the form options for searches and subscriptions, while JotForm, which appears in second place, is used by 25%.

FIGURE 3. INTERNET BROWSERS



Services provided by Google are the most used in all categories presented here. We hypothesize that these tools are seen as intuitive and easy to learn, in addition to having easy access: just create a Google account and these options will already be integrated with the same email address. This is not only the perception of the organizations contemplated in this study, it also seems to represent a widespread view of this platform.

The fact that they are tools used by many organizations and people with whom they maintain partnerships or working relationships is another reason justifying this choice. Google Drive in particular is a tool widely used to facilitate file sharing with different users and even allowing collaborative document editing. In times of remote work this is an essential feature.

The focus on application usability and performance, in addition to being the result of billion-dollar investments, is strategic from the point of view of online platforms to attract users and ensure that they continue to interact with these interfaces as long as possible. Since these companies' business model is based on the collection of behavioral data and the prediction of future behaviors, the greater the number of users and the longer the connection time, the larger the database and the more effective the profit exploitation strategy.

In addition to issues related to access and connectivity, organizations also care about compatibility with electronic devices:

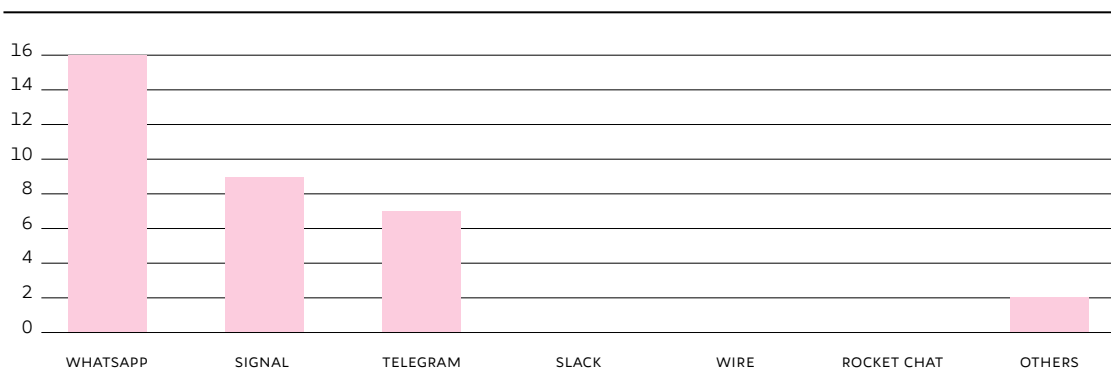
However, at some point we encounter the difficulty of access of defenders from popular classes who cannot have diverse apps installed on their cell phones occupying limited space in relation to data storage.

(SURVEY QUESTIONNAIRE ANSWER)

Data from the TIC Domicilios survey (2021) indicated that the internet use via cell phone corresponded to 99% of households, while use over the computer represented 36%. Moreover, 83% of the population in rural areas and approximately 70% of the population in the North and Northeast regions use the internet exclusively by cell phone, which is also the main connection device for most people who have only completed elementary school (84%) or studied until high school (70%). In the class carve-out, 89% of classes D and E and 67% of class C only connect to the internet through mobile phones.

These data also help us understand why the WhatsApp application ranks in 1st place among instant messaging applications. Only four organizations stated that they did not use this application as a work tool.

FIGURE 4. MESSAGING APPS

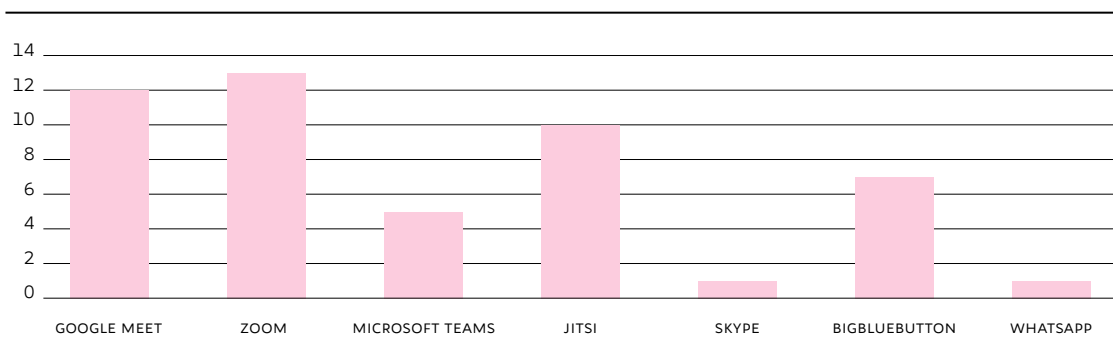


The Panorama Survey - Messaging in Brazil⁵⁰ found that 99% of respondents use WhatsApp, while Telegram accounts for 65% and Signal for 12%. Again, the data suggest that the choice of the application most used by most people is also the organizational choice, possibly to amplify the reach of communication. On the other hand, we observed that in contrast to the results of the messaging survey in Brazil, in second place the organizations opt for Signal and not for Telegram, signaling there is a concern with message exchange security.

Among videoconferencing platforms—a resource that became one of the most important during the Covid-19 pandemic—Zoom was reported by 13 organizations, while Google Meet has been used by 12 groups. Jitsi and BigBlueButton (BBB) appear in 10 and 7 of the answers, respectively.

(50) Independent survey produced by a partnership between news site Mobile Time and survey solutions company Opinion Box.

FIGURE 5. PLATFORMS USED FOR MEETINGS



However, organizations commonly use more than one videoconferencing service, depending on the purpose and audience involved in the meetings. Again, this is a measure taken with a view to not restricting people's participation because of structural barriers. Three organizations claimed to use only Google Meet + Zoom, and four use Google Meet + Zoom + Jitsi + BBB. Only one organization reported using only proprietary platforms (Google Meet + Zoom + Skype + Microsoft Teams), and none of them uses all platforms.

Two organizations use only Jitsi and BigBlueButton, services based on free software; however, it is interesting to note that one of them selected the "Other" option and mentioned WhatsApp as a tool for online meetings. This apparently unforeseen use of this application can be explained in part by the tool's ease of access and high popularity. We can infer in this case that ensuring people's participation in online meetings is a possible factor that contributed to this organization including WhatsApp as a tool, since the other two options used (Jitsi and BigBlueButton) are not always accessible to everyone, especially when the only internet access device is the mobile phone.

In the groups' assessment, social inequalities are an attention factor that affects technological decisions. The search is always guided by conditions that increase access possibilities and no longer become a difficulty imposed on communities.

It is essential that we can invest in the use of digital tools that are practical and can become popular, while ensuring security, data privacy and accessibility. It is the embodiment of an intersectional policy in the guarantee of human rights themselves.

(SURVEY QUESTIONNAIRE ANSWER)

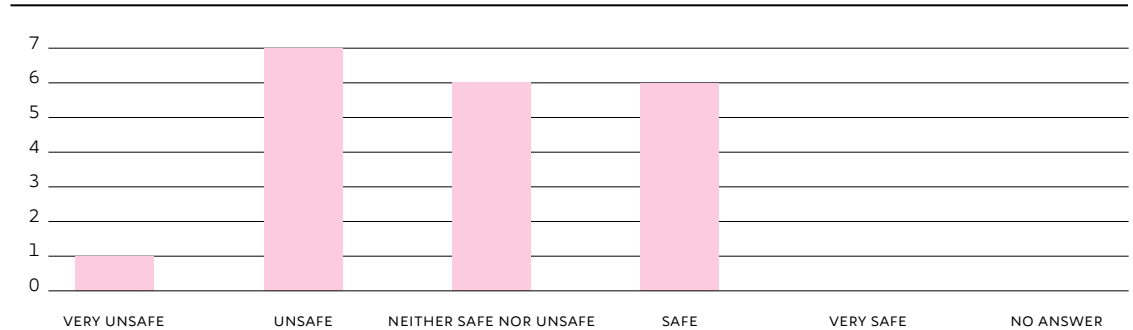
SECURITY

Security appears as the second criterion most chosen by organizations to define the technologies used. From the organizations' perspective, we can argue that the difference is small: it is not enough for the tool to be safe if it is not practical. This element is important as we consider what guides the choice of online platforms over free and autonomous technologies. We also find this result interesting because safety accounts for more than half of the sample, but not all of it.

The perception of security reflected in one of the multiple-choice questions helps us to understand a little more about this topic. There was a balance between those who reported feeling unsafe in using the tools (40% of the sample, considering the sum of very unsafe + unsafe) and those who declared themselves safe (30%). Another 30% occupy the middle ground, because they put themselves neither in a position of security nor in a place of insecurity. However, it is not possible to say that in this case there is a situation of neutrality or peace of

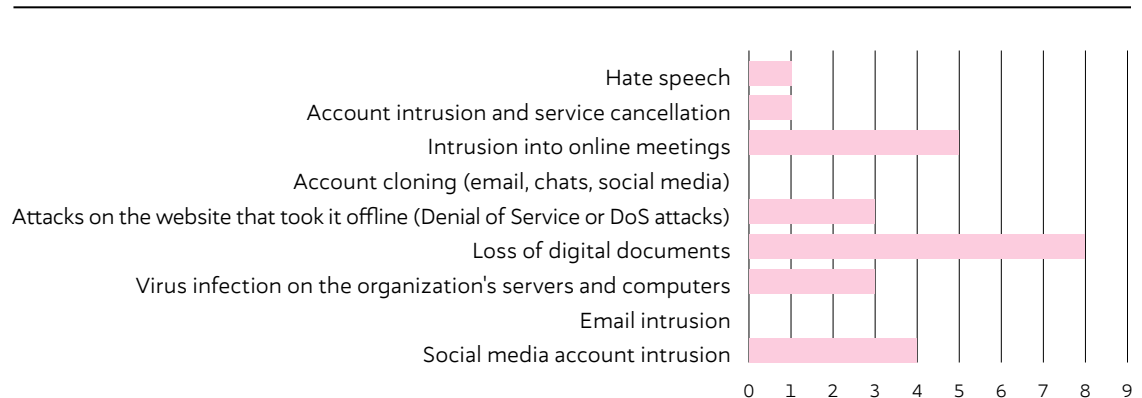
mind in relation to this topic. It is possible that this answer also includes people who are in doubt about how much they can trust digital technologies. No answers indicated feeling “very safe” in using any tool.

FIGURE 6. PERCEPTION OF DIGITAL SECURITY



More than the technical attributes of the tools used, the security perceptions captured respond to concerns related to a context in which organizations are exposed to different types of risk. The main security problems or incidents that have occurred include the loss of digital documents, intrusions into online meetings and intrusions into social media accounts, as noted below:

FIGURE 7. SECURITY INCIDENTS



We do not have details about what caused the loss of digital documents in these cases, but it is possible to make some assumptions about the situations considering digital security services that we have carried out in recent years. Generally, loss of documentation is related to inadequate backing up of files, which end up lost or damaged by failures in the backup routine, the compromise of physical devices used for this purpose (servers, hard drives and pen drives) or a lack of knowledge about appropriate procedures. We can also consider other incidents listed in the question as the source of data loss, such as virus infections and denial of service (DoS) attacks.

Among the various types of viruses and malware, ransomware is a malicious program that infects computers and blocks access to files, demanding a payment in cryptocurrencies as ransom. Since 2017, some Brazilian organizations have fallen victim to this malware, and this increased in 2019. Some organizations even paid the ransom and still could not regain access to the files. MariaLab conducted an information survey with some of these groups to better understand the scenario that led to these incidents:

Most of the teams had hired Information Technology (IT) professionals, but these were not digital security experts and had no prior experience with this type of attack. Before the attacks, the organizations interviewed had complete confidence in these technicians and little control over their actions. The responsibility for digital security was almost completely in the hands of these people. We identified weak password and backup security practices, and although in some cases these vulnerabilities were identified prior to the attack, remediation measures were slow and still being implemented. Something else common among organizations is that they did not expect some areas such as financial and administrative ones to be potential targets, since they were sectors that did not have visibility to the external public.

(SHIRA & JANCZ, 2020)

On DoS attack data, a Cert.br survey (2019) demonstrated that the number of cases in 2019 grew 90% compared to 2018 and was the largest in the historical series of this study. Although the data are not specific to civil society organizations, the scenario poses a risk to these groups as well.

The second of the most voted incidents were intrusions into online meetings, so common in the first year of the Covid-19 pandemic that they even received their own name: *Zoombombing*.⁵¹ Most of the time, the invasions were followed by the dissemination of sexist, homophobic and threatening content and were quite common in Brazilian and Latin American events.

Finally, regarding violence on social networks, account theft is the type of incident most reported by activists and organizations on our helpline⁵² (38% of open calls in a year) and is most common on Instagram. In 2020, cases of attacks and threats against Black activists who took a stand against racism on social networks became known; the same happened with Indigenous leaders. This type of violation has already been understood as a tactic to silence activist groups.⁵³

We call attention to the quantitative data that we presented earlier on the tools chosen for cloud storage, email, browsers and messaging services (Figures 1, 2, 3 and 4). In these examples, the second or third most-used options are alternatives developed in free software: Nextcloud, Riseup, Firefox and Signal. The same occurs among the platforms for videoconferencing, with Jitsi and BigBlueButton occupying the 3rd and 4th position, respectively. From this, we reinforce the argument that security is a priority; however, it needs to be aligned with practicality and ease of access.

NO COST

Being cost free is the third element that guides technological choices, mentioned by 35% of the sample. We interpret that free use is influenced by two aspects. The first is related to organizations' budget limitations, especially for smaller groups and those not formally registered as legal entities. Maintaining your own digital infrastructure or hiring services of this nature implies costs that are not always available.

(51) Content produced by the School of Activism to prevent invasions.

(52) Since October 2021, MariaLab has opened a helpline for digital emergencies – Maria d'Ajuda.

(53) Report on criminalization and harassment of Indigenous leaders in Brazil.

In addition to financial audits, some funding institutions have already adopted the practice of requiring security risk assessments for the organizations they fund, including digital security analysis. We believe that this is a positive step forward, but that it needs to be in dialogue with each organization's current capabilities so that it does not become a difficult imposition to comply with. Moreover, we indicate that evaluation is only the first step; it is necessary to establish conditions for strengthening the groups' security. This involves opening up investment in this area, which includes spending on equipment, programs and professionals for development and support. And it is also important to consider that these will be recurring costs, incorporated into the administrative routine, and therefore not resolved only by one-off or temporary projects.

The second aspect talks about the relationship with beneficiaries and the wider audience that organizations are targeting, who are usually using free tools that are also the most popular. Zero-rating (or zero-pricing) policies also have an important effect in this regard. Some telecommunications operators use this practice to allow access to some online services, such as social networks, Google, WhatsApp and Telegram, without generating financial costs to end users through mobile data traffic. Even after the data franchise determined by the contracted connection plan has ended, people can continue using the internet, but only through applications made available for free.

A STRATEGIC RESOURCE

When asked about the importance that digital tools have occupied in the development of their work, organizations considered that such resources play a fundamental role, equated with organizations' formal operating conditions.

These days much of the work is carried out through or with the aid of digital tools. In this sense, organizations' digital infrastructure has become as indispensable as physical and organizational infrastructure. That is, as (or more) important as having a headquarters is having a digital workspace; and having a technology area is as important as having an administrative and financial area, for example.

(SURVEY QUESTIONNAIRE ANSWER)

The relevance of digital technologies goes beyond a utilitarian or complementary aspect for the activities developed; rather, they have a strategic character for organizations. Any technology framework, whether hardware or software, needs periodic maintenance and updating. It is very common for organizations that had already adopted free technologies in the past to have faced problems because they did not have adequate updating and to have gone back to the use of automated online platforms. The lack of prioritization by organizational management and particularly the difficulties in obtaining resources to strengthen communication infrastructures are some of the hypotheses that can explain this context.

The perception that digital infrastructure has become a strategic input is seen in the effects on its change of status pre- and post-pandemic. Even acknowledging that digitalization had been taking place before 2020, social isolation measures made creating the conditions to maintain work remotely a priority.

The use of digital tools is essential to developing work, and this has been highlighted with the pandemic. It is currently unfeasible to mobilize people around causes (both internally in the organization and in relation to the external public) without the use of these tools, proprietary or free. In addition to mobilization, the organization of work has also become impracticable without the use of these tools.

(SURVEY QUESTIONNAIRE ANSWER)

Even after the most critical point of the pandemic has passed, these effects of the increasing virtualization of actions tend to be lasting and to largely give new meaning to organizations' performance. According to the answers to the questionnaire, digital resources have been understood as an "important way to reach a broader collective audience" and to "increase the reach of local activity in distant territories, promoting interaction/exchanges between people from different locations."

Digital tools enable organizations to dispute narratives and echo their messages. Even with difficulties, with inequalities in access, the tools today decentralize (to a greater/lesser extent depending on the markers of difference) the scope of activism and the struggles of defenders. And furthermore, the tools widen the visibility of the territories' realities, denouncing human rights violations.

(SURVEY QUESTIONNAIRE ANSWER)

On this topic, some organizations expressed the desire to have greater control and autonomy over all communication ecosystems used, but they point out limitations, since they adopt the tools only for end use with little participation in development. Therefore, the platforms chosen are not always the best options to meet the specific needs of each group. They consider that digitalization is an inevitable factor in organizations' human rights defense work; however:

[...] it can be a tool that extends security and promotes autonomy or tools that create dependent users who lack autonomy and are forced to accept privacy and use policies that are outrageous.

(SURVEY QUESTIONNAIRE ANSWER)

We identified that organizations are aware of the risks involved in the use of online platforms, but adopting alternatives encounters barriers of different types, including the ability to develop and maintain such tools. Facing these issues, however, depends not only on each group's individual decision, but must be seen as a collective demand, which requires pooling efforts and sharing knowledge between organizations from different fields of activity, including those at the forefront of the development of autonomous technologies.

EXPERIENCES WITH ALTERNATIVE TOOLS

The last block of the questionnaire focused on questions about the groups' experiences with alternative tools.⁵⁴ The answers provided information on aspects perceived as positive in the use of this type of technology and the main challenges for adoption of these tools in the organizations' daily work. In chart 2, we present the main tools mentioned.

(54) We inserted the following explanatory note in the first question to ensure that organizations understood what we called alternative tools: *We call alternative tools online services, computer programs, and applications that are developed in free software, maintained by organizations and activists, and offer an alternative to the tools made available by large companies such as Google, Microsoft, Apple, Meta, etc. Some examples are Signal (messaging application), Jitsi (videoconferencing); and PAD (editing texts and spreadsheets), among others.*

CHART 2. EXAMPLES OF ALTERNATIVE TOOLS USED

Give some examples of alternative tools your organization has already used

ANSWER	COUNT	PERCENT
Jitsi	13	65%
Signal	10	50%
BigBlueButton	7	35%
Etherpad	7	35%
Nextcloud	6	30%
Riseup	3	15%
Protonmail	3	15%
Tor	2	10%
Linux	2	10%
Keepass	2	10%
Wire	1	5%
Libreoffice	1	5%
Obs Studio	1	5%
Lime Survey	1	5%
Mega	1	5%
Moodle	1	5%
Did not use any alternative tool or did not respond	7	35%

In the results of this question, we can also point out that: 3 organizations used 9 alternative tools; 1 used 7; 1 used 6; 4 used 5 tools; 3 groups used 4; and 3 used only 2 of the tools listed.

Among positive aspects, the organizations' answers mainly pointed to the security of communications in the sense of trusting that data will not be leaked by the platforms themselves and will not be under the power of large corporations. One of the organizations also links this greater confidence to the fact that the systems they use are developed by free software communities.

Security was an aspect mentioned a few times, indicating that this may be one of the characteristics that lead organizations to use alternative tools. However, we would like to draw attention to the expression "sense of security" mentioned in the answers. This expression seems to signal persistent doubts about the extent to which migration to autonomous and free technologies effectively represents more security. Given these observations, we question how much the notion of security can be linked to the tool itself and not to the behavior and care measures that each person or organization should have with their accounts, applications and digital devices. The survey carried out in this study does not allow us to dig deeper into the issue, but it is important to point out this perspective for possible development out of this initial investigation.

But trust in alternative technologies is also established based on political alignments and by establishing relationships of trust. Under this approach, the development or use of new tools ceases to be based on commercial or utilitarian exchanges and assumes the role of shaping networks and communities. For one of the organizations, it is:

Using our own or partners' infrastructures, strengthening decentralized infrastructures, which are in the hands of people we have personal or close relationships with. Being careful with the privacy of our data and identity.

(SURVEY QUESTIONNAIRE ANSWER)

The expansion of access to small groups is another among the positive aspects mentioned and which, given due proportions, can be a possibility in the face of free digital services provided by the companies of digital capitalism.

The possibility of accessing safe tools with responsive support and, sometimes, at no cost—making it possible to use even with small organizations lacking financial resources. In addition, I highlight the possibility of storing and sharing sensitive information without fear of leakage.

(SURVEY QUESTIONNAIRE ANSWER)

The problems encountered by organizations in migrating to or adopting technological alternatives can be classified into four categories: 1) tool performance; 2) gaps in the digital infrastructure; 3) usability and accessibility; and 4) learning curve and adaptation.

Many observations have been made regarding the performance of the platforms, such as bugs in certain browsers or operating systems, limitations on the number of people in videoconferencing rooms, video crashing when many cameras are open in online meetings, and slowness when logging in or editing collaborative documents. Difficulties like these have caused frustration by interrupting or hampering the progress of collective activities.

However, some of the problems mentioned in the adoption of alternative tools are related not to the systems themselves, but to the connectivity infrastructure in Brazil. Due to internet access problems in many of the locations where organizations operate, the migration to alternative options becomes more difficult.

The third category we identified—usability and accessibility—deals with characteristics of the interfaces considered by organizations to be unfriendly; lack or failure in the functioning of assistive tools for people with disabilities; and technical requirements not compatible with older devices:

Generally, the use of these tools cannot be shared with most of the women who participate in our activities, because they require more memory and storage space on devices. Thus, the use of these tools is limited more to people with more modern and less popular devices. The issue of accessibility for women with disabilities is also an issue.

(SURVEY QUESTIONNAIRE ANSWER)

This category, in particular, is based on social inequalities that distance some groups from broad access to digital technologies, both in software and hardware. Therefore, in the context of human rights, they will be taken into serious consideration.

The last category we ranked was the learning and adaptation curve. Learning new tools often faces resistance from people, but it is also caused by the tools' complexity and the lack of simpler and more teaching-oriented instructions. The technical language used in manuals and terms of service hampers or even prevents understanding. When these guidelines are only available in a foreign language, most often English, reading them becomes impossible for many people.

There are language problems beyond the translation into Portuguese in various software programs. However, it is important to highlight that the language applied on large platforms is also not as accessible as it may seem. In a study conducted by Venturini et al. (2019), in which the service terms and conditions of fifty digital platforms were analyzed, it was concluded that such documents present vague and ambiguous terminology and complex information in technical and legal language that make understanding difficult. In addition, a lot of crucial information is omitted or superficially provided.

While some organizations highlighted the problems of learning, usability or connection, others indicated that the difficulty is more in the cultural aspect and in the resistance of a portion of the teams and beneficiaries in accepting the migration to new tools.

Members of the organization had difficulty using it; lack of familiarity. They also often complain about having to use a different tool than those used in everyday life. In short, the main difficulty is with culture/usability.

(SURVEY QUESTIONNAIRE ANSWER)

Some of the observations made by the organizations themselves are in the vein of improving the sharing of knowledge about these tools as an antidote to the difficulties of adaptation. Suggestions range from the availability of simple material in Portuguese or different languages and formats (zines, audio, video, guide, quick reference manual, etc.), to feminist technology studies groups to ask questions, try to solve problems, make proposals to the software development team or to report bugs. Another characteristic that, from the perspective of organizations, would contribute to reducing resistance and popularizing their use is to make the tools better known and disseminated, as well as the debate around digital care.

Always have the justification of what the software protects, of the reasons that lead to choosing software 'X' over another proprietary program. Thus, people make the choice of use based on real reasons. Always make it explicit that sometimes change is a process that takes time. And that even if the person is not going to make the choice today for an alternative/free tool, she/he can make a plan for it!

(SURVEY QUESTIONNAIRE ANSWER)

From the answers analyzed, we observed that organizations express an expectation about free tools very marked by their experience with proprietary platforms. The aspects they mention as a needing improvement tend to equate performance and usability between the two. From the perspective of scale, tools as comprehensive as the large platforms are also expected, capable of accommodating a large number of people connected simultaneously and with stable connections regardless of locality.

This expectation is not random. It corresponds to the very computational architecture and business model undertaken by online platforms, which drive the entire web to follow the same operating standard:

The growing exchange of platform-mediated data and the capillarity of the business models developed by these companies have as one of their consequences what researcher Anne Helmond (2015) calls "web platformization." Infrastructure platforms such as Google and Facebook are more than partners or traffic generators; they have established themselves as models of computational functioning on which other services of the so-called open web are based and increasingly operating. To function (in technical terms) and survive (in economic terms), blogs, personal sites, portals, etc., are forced to conform to the access and data exchange protocols adopted by online platforms.

(D'ANDRÉA, 2020, P. 20)

Given these research findings, and as an organization whose work purpose is to promote and develop autonomous technologies, we ask ourselves: is it feasible to establish this type of comparison? We believe not. The objective of activist infrastructures is not to achieve the same scale of coverage, nor would it be possible. The reality of many of the alternative platforms, developed in free software and maintained by activist organizations, is that they are structured with very scarce resources and very small groups of professionals. Some of them are developed on a voluntary basis. Meanwhile, the big companies of surveillance capitalism invest billions of dollars in staff, equipment and digital infrastructure.

FEMINIST TECHNOLOGIES AND THE CHALLENGES FOR THE DEVELOPMENT OF FREE AND AUTONOMOUS TECHNOLOGIES

Given the results analyzed so far, we also consider it relevant to put into perspective the arguments and positions of activists and organizations engaged in the development and viability of alternative technologies. Thus, on this topic we addressed the field experience during the TransHackFeminist convergence.

The first edition of the THF! took place in August 2014 and was organized in Calafou, a post-capitalist eco-industrial colony located 38 miles from Barcelona in Catalonia. From the first event, the proposal has been to bring together feminists, queer and trans people to better understand, use, and develop free technologies for social dissidence.

As a meeting point for feminists from various parts of the world who focus on the technopolitical debate around digital infrastructures, the concerns and desires they raise are a good thermometer for understanding the challenges to resisting platformization and surveillance capitalism.

The approach to technological development proposed at the THF! approximates the notion of feminist technologies broached by Oliveira et al. (2020). The term refers to the actions and knowledge productions achieved by a portion of the feminist movement, especially organizations in Latin America, with the aim of rethinking the imagination, production and use of information and communication technologies (ICTS) by and for women, trans and nonbinary people⁵⁵ (Oliveira et al., 2020, p. 3). Autonomy, language and security are guiding axes of feminist technologies (Oliveira et al., 2020), and the ethics of care is a structuring condition of their practices (Natansohn & Reis, 2020).

[...] one of the first understandings about feminist technologies is that there was in them a proposal to expand the notion of socio-technical infrastructures to incorporate feminist categories, such as the ideas of consent, listening, care and autonomy. The expansion was also in the sense of encompassing pacts, spaces, people and relationships, and connecting with learning and creation processes.

(OLIVEIRA ET AL, 2020)

The collective construction of the THF! takes into account that digital care goes beyond the purely technical dimension, associating it with human relationships in an attempt to create safe spaces for interlinking. The discussions held at the event in 2022 highlighted challenges for the construction and maintenance of autonomous infrastructures. There is consensus that it is increasingly difficult to break with existing infrastructures, especially those represented by corporate monopolies. In the meantime, concerns about security and privacy are growing in the face of constant attacks on and government surveillance of organizations and activists. From a sustainability perspective, funding constraints combined with the high costs of maintaining autonomous infrastructures have jeopardized the continuity of many projects.

The concerns raised by this group are echoed by the issues identified in the survey. If on one hand the organizations that answered our questionnaire pointed to access and knowledge difficulties as bottlenecks for the adoption of autonomous technologies, on the other hand we have the organizations engaged in the development of these tools facing difficulties in maintaining the projects and implementing improvements that could assist civil society

(55) Translator's Note: "[...] imaginação, produção e uso das tecnologias de informação e comunicação (TICS) pelas e para as mulheres, pessoas trans e não binárias".

in general. Thus, we face a vicious circle in which autonomous technology services have trouble maintaining adequate updating, causing accessibility problems that discourage other organizations from continuing to use these services.

Many projects have been discontinued recently due to lack of funding and human resources.⁵⁶ The problem goes beyond a shortage of specialists. More than technical understanding, it is important that these people have techno-political training, that is, that they develop a politicized attitude toward technologies, through either the context of human rights defenders—who present vulnerabilities and risks that are not the same as in a business environment—or the relationship with the organizations served. We often hear from our interlocutors how unprepared they feel to talk to IT teams because they do not understand the technical language used. At the same time, IT professionals are not always prepared to understand the organizations' needs and the way they interact with the tools.

This impasse over the conditions for maintaining basic services also affects progress on other issues, such as the construction of artificial intelligence mechanisms that are not used for control or oppression purposes, and the expansion of autonomous internet access providers in community networks. These projects are put on hold because of the resource bottleneck and the burden on activists and organizations.

FINAL REMARKS

Although at first glance the results confirm that surveillance platforms are the main resource used by civil society organizations, we consider it valuable for the purpose of this research to highlight the perceptions that the groups presented about the context of concentration of power on the internet.

There are many doubts about the security of online platforms, but issues such as stability and ease of access—in addition to the familiarity already developed by most people—often cross through the commitment to free and safer technologies. This finding alone demonstrates the complex calculus involved in the technological decisions made by organizations.

One of the aspects frequently mentioned in the research concerns access and connectivity infrastructure. Internet access is quite difficult, and prices are very high, especially in locations far from large urban centers (rural areas, *quilombola* and Indigenous communities) and even in the peripheral regions of major cities. On the one hand, this reveals how social inequalities are important in technological decisions and, on the other, it reinforces the need for expansion and improvements in infrastructure as a way to democratize access to technologies and the internet.

The results also reinforce the importance of popularization and knowledge sharing in digital technologies. Most organizations mention the difficulties they encounter because they don't understand how the tools work, and they highlight how this knowledge gap affects the beneficiaries and the communities they work with. Therefore, we emphasize the need to improve our dissemination processes, investing in popular education so that everyone has the possibility to make better informed choices.

(56) An example of this was the discontinuation of the feminist Red Kéfir project.

We also point out the need to prioritize scarce resources. In the face of political, economic and health crises; the intensification of violence, in particular political and domestic violence, femicides, crimes of homophobia, transphobia and racism; and the return of food insecurity for a large part of the most vulnerable population, the allocation of often scarce resources to technological infrastructure is not the focus of human rights organizations. Many of the organizations we have worked with over the past two years have been heavily engaged in campaigns to raise food, clothing and medication—often from their own resources—for the care of the most vulnerable populations. They also took care of ensuring the remuneration of their own teams and support in health emergencies to minimally maintain the continuity of their work. Like us, many organizations need to abandon projects or the maintenance of physical spaces due to a scenario with many uncertainties. At this moment of trying to restore strength, there is much to do and perhaps there is still little time and resources for everything that we would like to recover. From the perspective of those who finance and support civil society, it is important to point out that the moment is one of restructuring and that among competing demands, investments in technological infrastructures and digital security are essential and need to be contemplated in all projects.

In terms of techno-activist groups, we must first focus on the stability and maintenance of autonomous technologies instead of on projects that aim at quantitative results, such as numbers of people reached or of networks installed. Our problem is one of sustainability rather than scale. And more than ever, it is necessary to network to build an ecosystem of digital technologies that is safe and suitable for the work of human rights defenders.

In addition to the impact on the control and monopoly of technologies and data, platformization affects the way we see and understand technologies, positioning the large platforms of surveillance capitalism as a parameter of quality based on the immediacy and sense of urgency fed by these tools. We understand that establishing a debate in a tone of comparisons between proprietary platforms versus alternative tools is an unproductive strategy. Although characteristics such as usability, accessibility, ease of access and connection are aspects that should be considered and prioritized in the development of alternative technologies, there is no possible comparison between the production conditions of capitalist companies with great political and financial power, and initiatives that go against the commercialization of the internet. This is a fundamental point to guide training and scientific dissemination on technologies under a truly transformative objective that puts autonomy at the center.

What then would lead organizations to adopt alternative technologies? We understand that this decision is rooted in political issues of another order. Beyond a utilitarian or even deterministic notion of technology, supporting the development of alternative technologies—supported by activist organizations and in particular feminist groups—weighs heavily on the possibilities of the future that we want to build.

REFERENCES

- Associação Brasileira de ONGs – Abong. (2022). *Relatório criminalização burocrática: Estratégias político-jurídicas, neoliberalismo e a atuação das organizações da sociedade civil* [Bureaucratic criminalization report: Political-legal strategies, neoliberalism and the actions of civil society organizations]. <https://abong.org.br/2022/09/13/relatorio-criminalizacao-burocratica-estrategias-politico-juridicas-neoliberalismo-e-a-atuacao-das-oscs/>.
- Abreu, J., & Antonialli, D. (2017). *Vigilância sobre as comunicações no Brasil: Interceptações, quebras de sigilo, infiltrações e seus limites constitucionais* [Surveillance of communications in Brazil: Interceptions, breaches of confidentiality and their constitutional limits]. InternetLab.
- Centro Regional de Estudos para o Desenvolvimento da Sociedade da Informação – Cetic.br. (2021). TIC Domicílios 2021. <https://cetic.br/pt/pesquisa/domicilios/indicadores/>.
- Cruz, L. R., & Venturini, J. R. (2020). Neoliberalismo e crise: O avanço silencioso do capitalismo de vigilância na educação brasileira durante a pandemia da Covid-19 [Neoliberalism and crisis: The silent advance of surveillance capitalism in Brazilian education during the COVID-19 pandemic]. *Revista Brasileira de Informática na Educação - RBIE*, N° 28, pp. 1060–1085. DOI: 10.5753/RBIE.2020.28.0.1060
- D'Andréa, C. (2020). Pesquisando plataformas online: Conceitos e métodos [Investigating online platforms: Concepts and methods]. EDUFBA. .
- Instituto Marielle Franco, Justiça Global e Terra de Direitos. (2020). *A violência política contra mulheres negras: Eleições 2020* [Political violence against Black women: 2020 elections]. <https://violenciapolitica.org>.
- Lauris, E., & Hashizume, M. (2020). *Violência política e eleitoral no Brasil: Panorama das violações de direitos humanos de 2016 a 2020* [Political and electoral violence in Brazil: Panorama of human rights violations from 2016 to 2020]. Terra de Direitos e Justiça Global.
- Morozov, E. (2020, April 23). *Solucionismo, nova aposta das elites globais* [Solutionism, new strategy of the global elite]. Outras Palavras. <https://outraspalavras.net/tecnologiaemdisputa/solucionismo-nova-aposta-das-elites-globais/>.
- Natansohn, G., & Reis, J. (2020). Digitalizando o cuidado: Mulheres e novas codificações para a ética hacker [Digitizing care: Women and new codings for hacker ethics]. *Cadernos Pagu*, N° 59. <https://doi.org/10.1590/18094449202000590005>.
- Nieborg, D. B., & Poell, T. (2018). *The platformization of cultural production: Theorizing the contingent cultural commodity*. *New Media & Society* 20(11), pp. 4275–4292.
- Oliveira, D., Araújo, D., & Kanashiro, M. (2020). Tecnologias, infraestruturas e redes feministas: Potências no processo de ruptura com o legado colonial e androcêntrico [Feminist technology, infrastructure and networks: Powers in the process of breaking with the colonial, androcentric legacy]. *Cadernos Pagu*, N° 59. <https://doi.org/10.1590/18094449202000590003>.
- Revista Azmina & Internetlab. (2021). *Monitora: Relatório sobre violência política online em páginas e perfis de candidatas(os) nas eleições municipais de 2020* [Monitor: Report on online political violence on candidate pages and profiles in the 2020 municipal elections]. https://internetlab.org.br/wp-content/uploads/2021/03/5P_Relatorio_MonitorA-PT.pdf.
- Shira, F., & Jancz, C. (2020). *Barricadas, estratégias e coletividade: Uma cartilha de segurança digital para organizações* [Barricades, strategies and community: A digital security guidebook for organizations]. <https://www.marialab.org/wp-content/uploads/2020/12/Barricadas-estrategias-coletividade.pdf>.
- Van Dijck, J., Poell, T., & Wall, M. (2018). *The platform society: Public values in a connective world*. Oxford Press.
- Venturini, J., Louzada, L., Maciel, M., Zingales, N., Stylianou, K., & Belli, L. (2019). *Termos de uso e direitos humanos: Uma análise dos contratos das plataformas online* [Terms of use and human rights: An analysis of online platform contracts]. Revan.
- Zuboff, S. (2018). Big other: Capitalismo de vigilância e perspectivas para uma civilização de informação [Big other: Surveillance capitalism and the prospects for an information civilization]. In Bruno, F. et al. *Tecnopolíticas da vigilância: Perspectivas da margem* (pp. 17–69). Boitempo.

