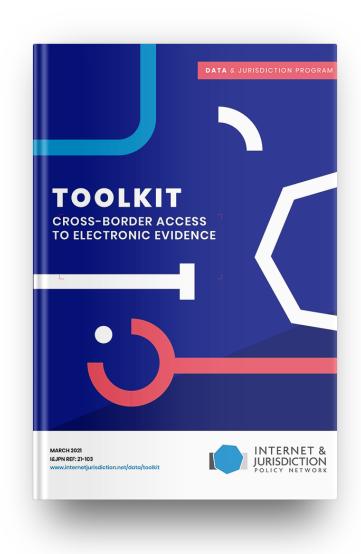


## Index

- 1. I&JPN Toolkit: Cross-border Access to Electronic Evidence
- 2. I&JPN Toolkit: Cross-border Content Moderation
- 3. I&JPN Toolkit: DNS Level Action to Address Abuses
- 4. Internet & Jurisdiction Policy Network and ECLAC Regional Status Report 2020
- 5. We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty Report



# I&JPN Toolkit: Cross-border Access to Electronic Evidence





#### 1. ISSUE FRAMING

#### 2. I&JPN METHODOLOGY

#### 3. TOOLKIT: CROSS-BORDER ACCESS TO ELECTRONIC EVIDENCE 3.1 GENERAL STRUCTURE AND KEY REGIME COMPONENTS FOR ACCESSING ELECTRONIC EVIDENCE

- CROSS-BORDER ACCESS TO ELECTRONIC EVIDENCE GENERAL REGIME ARCHITECTURE
- REGIME STANDARDS
  - Regime Scope
  - Public Authorities
  - Providers
  - Users
- REQUEST/ORDER STANDARDS
  - Transmission
  - Request Formats
  - Nexus.

#### 3.2 VOLUNTARY DISCLOSURE

- REGIME STANDARDS
  - Cross-Border Requests for Voluntary Disclosure of Subscriber Information, including Annex
- REQUEST/ORDER STANDARDS
  - Request Components for Access to Subscriber Information Under Voluntary Disclosure Regime

#### 4. ABOUT THE INTERNET & JURISDICTION POLICY NETWORK

#### 5. ACKNOWLEDGMENTS

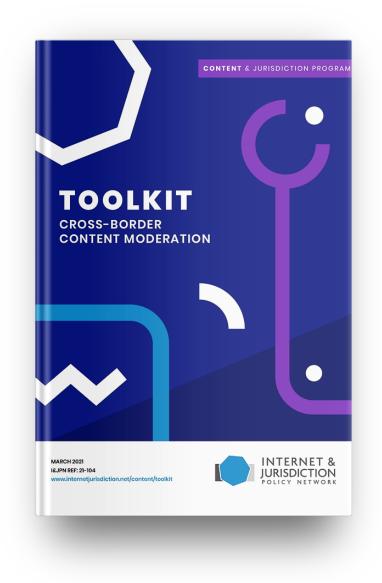


## Download the "I&JPN Toolkit for Cross-border Access to Electronic Evidence"

https://connect.internetjurisdiction.net/zs/NYBzaY



# I&JPN Toolkit: Cross-border Content Moderation





#### 1. ISSUE FRAMING

#### 2. I&JPN METHODOLOGY

#### 3. TOOLKIT: CROSS-BORDER CONTENT MODERATION 3.1 FRAMEWORK

- IDENTIFICATION & NOTIFICATION
  - Normative Basis
  - Third Party Notices
  - Provider Detection
- EVALUATION
  - Timeliness
  - Multi-Factor Evaluation & Impact Analysis
- ACTION
  - Geographic Scope of Content Restrictions
- RECOURSE
  - Mechanisms for Recourse After Content Restriction
  - Recourse Mechanisms Interoperability

#### 3.2 TOOLS

- Typology of Content
- Identification and Notice Sources
- Typology of Detection Modalities
- Components of Complaints / Reports / Notices from Public Authorities And Private Notifiers
- Choice of Action
- User Notification

#### 4. ABOUT THE INTERNET & JURISDICTION POLICY NETWORK

#### 5. ACKNOWLEDGMENTS



# Download the "I&JPN Toolkit for Cross-border Content Moderation"

https://connect.internetjurisdiction.net/zs/ekBzu2



# I&JPN Toolkit: DNS Level Action to Address Abuses





#### 1. ISSUE FRAMING

#### 2. I&JPN METHODOLOGY

#### 3. TOOLKIT: DNS LEVEL ACTION TO ADDRESS ABUSES 3.1 ADDRESSING ABUSE AT DNS LEVEL (GENERAL)

- IDENTIFICATION AND NOTIFICATION
  - Types of Abuses
  - Due Diligence by Notifiers
  - Notification to Registrants
- EVALUATION
  - $\circ$  Thresholds

#### • ACTION

- Types of Actions
- Effects of Action at the DNS Level
- RECOURSE
  - Recourse for Registrants
  - Transparency

#### 3.2 ADDRESSING TECHNICAL ABUSE

- IDENTIFICATION OF TECHNICAL ABUSE
  - Channels / Sources / Typology of Technical Abuse Notifiers
  - DNS-Level Action to Address Technical Abuses: Due-Diligence Guide For Notifiers
  - Minimum Components For Technical Abuse Notices
- EVALUATION OF TECHNICAL ABUSE
  - DNS Technical Abuse: Choice of Action
- ACTING ON TECHNICAL ABUSE
  - DNS Operators' Decision-Making Guide To Address Technical Abuse
- PROCEDURAL WORKFLOW
  - Addressing Phishing and Malware

#### 4. ABOUT THE INTERNET & JURISDICTION POLICY NETWORK

**5. ACKNOWLEDGMENTS** 

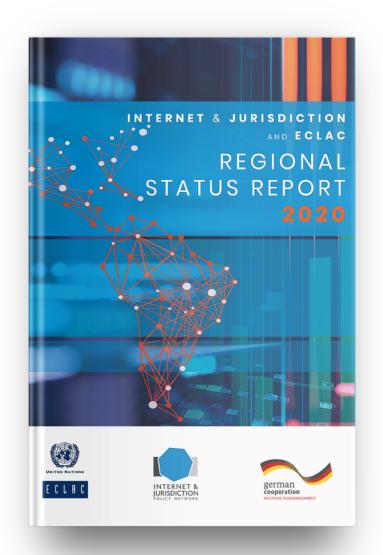


## Download the "I&JPN Toolkit for DNS Level Action to Address Abuses"

https://connect.internetjurisdiction.net/zs/oPBz2P



## Internet & Jurisdiction Policy Network and ECLAC Regional Status Report 2020





- 1. ACKNOWLEDGMENTS
- 2. PREFACE
- 3. PRESENTATION
- 4. METHOD
- 5. EXECUTIVE SUMMARY
- 6. INTRODUCTION

#### **CHAPTER I - Overarching trends**

- Increased connectivity is necessary but can reinforce socioeconomic inequalities
- A changing technological landscape
  - Swings in perceptions: from tech euphoria to techlash
  - Transnationalism is an emerging new dynamic
  - Foreign multinationals are influential in the region
  - The business environment for start-ups in the region is variable
- · Foreign regulatory initiatives are inspiring regional and national proposals
  - Policy initiatives have been proliferating as the appetite for regulating cyberspace increases
  - Legislative and judicial inspiration: cross-fertilization or imitation?
- Concerns over international influence and normative plurality
  - Rules are set for (and by) large and well-established international actors
  - The growing role of company norms: the "constitutional" status of terms of service
- The role of territoriality and the exercise of sovereignty are different in a global network
  - The increasing extraterritorial reach of national laws
  - Extraterritoriality brings enforceability challenges
- Intermediaries are being expected to play new roles
  - Increasing responsibility is being placed on private operators
  - Intermediaries are increasingly being asked to provide data to support investigations
  - Transparency is essential to enhance trust, but implementation varies
  - Growing attention is being paid to due process in content moderation activities



#### CHAPTER II - Major topical trends in Latin America and the Caribbean

- Expression
  - Fake news and disinformation
  - Defamation
  - Online bullying
  - Non-consensual distribution of sexually explicit media
  - The "right to be forgotten" comes up against the region's particular characteristics
- Security
  - Increased cybersecurity coordination is needed to deal with widespread incidents in the region
  - Cross-border investigations and electronic evidence
  - Surveillance
  - Cybersecurity
- Economy
  - E-commerce: the aspiration of a digital single market
  - The internet of things (iot)
  - Digital payments
  - Blockchain and cryptocurrencies
  - International and regional data flows: data protection regimes
  - Cross-border international and regional data flows

## CHAPTER III - Major approaches to cross-border internet dilemmas in Latin America and the Caribbean

- Major legal trends
  - States are increasingly resorting to an "effects doctrine" in asserting jurisdiction
  - The expansion of jurisdictional reach
  - Take-down, stay-down and stay-up orders by courts
  - Fines and sanctions
  - Terms of service are interlocking with national laws
- Major technical approaches
  - Geolocation technologies
  - Content filtering is on the rise as countries fight hate speech and disinformation
  - The Domain Name System: suspensions and blockings resulting from notifications and judicial and administrative orders
  - Site and app blocking
  - Service shutdowns
  - Mandatory data localization
- Glossary

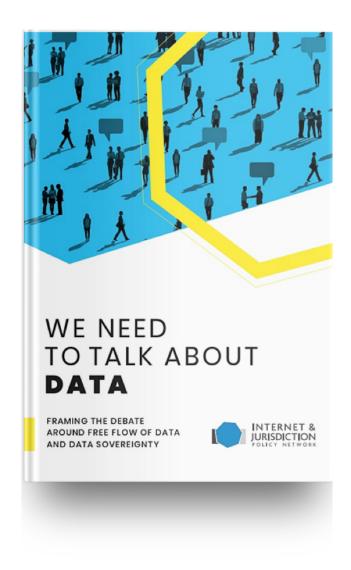


# Download the "Internet & Jurisdiction Policy Network and ECLAC Regional Status Report 2020"

https://connect.internetjurisdiction.net/zs/6HB8iZ



# We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty





#### 1. ON DATA

- **Beware of analogies**. Analogies are useful to approach unfamiliar situations, but taking them too literally can lead to misguided policy choices.
- **Data is multidimensional.** The world of data is growing and diverse, prone to overlapping modes of classification and formed by numerous actors connected by complex relations and value chains.
- **Data has unusual properties.** Data is different from goods and services, as a non-rivalrous resource which can be replicated and combined in numerous value chains without being depleted.
- Location of storage and processing is not all that matters. Who collects, processes or accesses data and for what purpose(s) is of high relevance.

#### 2. ON FREE FLOW OF DATA

- **The shadow of the free trade debate**. Discussions around Free Flow of Data are strongly influenced by existing tensions around free trade.
- Free Flow of Data is a topic high on global policy agendas. Cross-border data flows are a direct result of the internet architecture, but remain difficult to address in existing multilateral fora.
- **Concerns exist regarding digital interdependence dynamics.** Cross-border data flows raise various concerns, overlapping security, economic and human rights dimensions.
- **Cross-border data flows depend upon trust.** Dealing with potential misuses of data while preserving its free technical transit requires dedicated trust-building frameworks.

#### 3. ON DATA SOVEREIGNTY

- **Digital challenges to territorially-based sovereignty.** The non-geographic architecture of the internet is challenging the Westphalian paradigm underpinning our current international system.
- Data Sovereignty is peddled as a panacea to many concerns. The multifaceted notion of Data Sovereignty is both explained and perceived in very different, sometimes conflicting, ways.
- **Implementation pitfalls.** Data Sovereignty measures come in different guises, and their implementation is prone to unintended consequences, with systemic effects if generalized.
- **Dealing with multiple jurisdictions.** Data connects with territories and jurisdictions in multiple ways, producing an ecosystem of overlapping applicable rules and redefining the exercise of sovereignties.



#### 4. MOVING FORWARD

Addressing the challenges related to the governance of the growing Datasphere requires:

- Organizing a global multistakeholder debate across sectors.
- Reframing the discussion towards more nuance and common objectives.
- Exploring and fostering innovative approaches in tools, frameworks and concepts.



# Download the Report "We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty"

https://connect.internetjurisdiction.net/zs/WsB8Ty