

The Ethics of AI in Latin America. Approaches to the Use and Regulation of Artificial Intelligence in the Contemporary ANA Region

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Abstract:

This article provides a review of the socio-economic implications introduced by the use of AI in contemporary Latin America. The potential of this technology is linked to the geopolitical dynamic related to the recent polarization of globalization and the resulting international alignments and non-alignments. In particular, the article focuses on the role of Latin America within an ANA (actively non-aligned) framework, which is increasingly gaining traction among the countries involved. This vision of non-alignment is particularly significant as it offers Latin American nations an opportunity to navigate the global geopolitical landscape without being overly reliant on major powers, thereby allowing them to pursue a more independent path in shaping their futures. The article highlights the development opportunities that AI presents to the countries involved, emphasizing how the technology can serve as a tool for economic transformation, noting the ethical issues and social challenges that come with it.

Keywords:

Latin America, Artificial Intelligence, Active Non-Alignment (ANA)

1. *The geopolitical moment: the rise of ANA policies in Latin America*

In recent years, Latin America has emerged as a pivotal player in post-traditional international relations, notably in pioneering experiments involving the use of Artificial Intelligence and Chatbot technology for leap-oriented economic and social innovation, along with the pursuit of innovative ethical frameworks. This underscores the region's growing policy impact on the AI-based techno-innovation front. However, to fully realize this role, there is the need to resolve a series of challenges and concerns. The AI and Chatbot revolutions and the accompanying demand for better regulation provide a valuable opportunity for Latin America to independently position itself in the framework of the new global divide between autocracies and democracies since the majority of its nations is «actively non-aligned» or ANA. Over the coming years, this may force other global areas to better align themselves with the Latin American region by developing cooperative approaches, including anticipatory innovation governance (AIG) as a methodological bridging option.

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In the era of re-globalization, democratic and non-democratic blocs compete to define the governing principles of the international order, including its potential adjustment, reform and innovation¹. According to scholars like G. John Ikenberry, a three-polar world has come into existence, in which the Western and Eastern spheres of influence compete – economically, politically and culturally – for non-aligned regions in neglected areas which can be geopolitically summarized as the Global South². In this framework characterized by volatility and transition, Latin America as geographical part of the Global South has become a focal point of interest. The struggle for alliances with regional actors has intensified year by year. Both Western democratic nations led by the United States and the European Union (EU) on the one hand, and non-democratic powers including China and Russia on the other hand have sought to forge new or strengthen existing ties. Despite cyclically repeated or reinforced Western strategic alignment efforts, such as the Mercosur-EU agreement negotiations, which were intensified in 2022 and 2023 but, as previously, once again postponed indefinitely in December 2023, observers have noted that Western nations face increasing challenges in catching up with China's and partially Russia's still growing economic presence in the region. Some consider Western initiatives belated and, as in the case of the Mercosur-EU agreement, which was first drafted in 1999, *de facto* out of date³.

Over the past few years, the relatively lukewarm reaction of the region to Western attempts to implement closer ties has highlighted Latin American countries' preference for active non-alignment, or ANA policies. ANA essentially means choosing to refrain from aligning with either bloc, irrespective of covert or expressed diplomatic sympathies. The prominence of ANA has increased, especially in the aftermath of the Covid-19-Pandemic which brought policy and strategic differences with European and Western practices to the fore. Russia's invasion of Ukraine in February 2022 has further pushed cautiousness and increased the attractiveness of ANA in Latin America since due to its unclear outcome. Serving as a wake-up call to the global democratic bloc, ANA does not necessarily indicate a desire among Latin American countries to form an explicit 'third bloc' of non-aligned nations in the sense of a new programmatic 'third way' path. Rather, ANA serves as pragmatic geopolitical suspension politics of choice that allows states, like Brazil, to navigate the shifting global landscape without clearly committing themselves in the long term, and instead eclectically and selectively leveraging the new global bipolarity for their own strategic benefit, officially ignoring ideological considerations although they may in reality exist⁴.

1 R. Benedikter, *What is Re-Globalization? A Key Term in the Making that Characterizes our Epoch*, in «Global Policy Journal», 2020, <https://www.globalpolicyjournal.com/blog/08/12/2020/what-re-globalization-key-term-making-characterizes-our-epoch>.

2 J.G. Ikenberry, *Three Worlds: The West, East and South and the Competition to Shape Global Order*, in «International Affairs», 100, 2024, pp. 121-138.

3 C. Cruz Infante, R. Benedikter, *Can the EU-Mercosur trade agreement be saved?*, in *London School of Economics Blogs*, November 20th, 2023, <https://blogs.lse.ac.uk/europpblog/2023/11/20/can-the-eu-mercotur-trade-agreement-be-saved/>.

4 R. Benedikter, *Third Way Movements*, in *Encyclopedia of Global Studies*, ed. by H.K. Anheier and M. Juergensmeyer, SAGE, Thousand Oaks CA 2012, pp. 1648-50.

2. Latin America's differentiated views on the global order

In fact, as the era of re-globalization in many parts of the world is marked by a growing inclination not only of macro – but also of meso – and micro-realities towards multipolarity as an alternative to Western dominance, Latin America has witnessed an increasing tilt of sympathies towards China and Russia. This has also diminished the influence of established liberal global bodies such as the United Nations which have been traditionally supported and advanced by Western democracies. Observers have noted that contemporary Latin American multilateralism lacks «multilateral values»⁵, emphasizing a focus on differentiating partners not primarily based on the values of political systems (i.e. democracy versus autocracy) but according to immediate benefits. This reflects, in many cases, a medium-term tactical choice rather than a long-term strategic planning and anticipation decision – an approach in vogue in many Latin American governments not least because they are often subjected to rapid turnovers both ideologically and party-wise⁶.

The positive side of this is that it allows for rather flexible and differentiated interconnections with a variety of actors of global influence. In this regard, the lack of clear and lasting values can be attributed, among other factors, to the duties associated with value choices in international politics. Traditional bodies like the United Nations and its sub-institutions have promoted an essentially Western-values-based, liberalism- and humanism-centered agenda, exemplified by initiatives such as the *Sharing Humanity*⁷ campaign under the UN Agency for Human Dignity launched in summer 2023 by UNESCO. This openly contrasts with the approach of expanding authoritarian powers, which widely ignore or even reject human rights and instead prioritize immediate economic impact. Chile's President Gabriel Boric described these diverging dynamics best in just one sentence: «When you talk to Chinese people, they talk about what they can do to have more investment, how they can help very practically on this or that»⁸ rather than asking for adherence to allegedly global ethical rules. Western and European governments as well as traditionally liberal global institutions such as the UN are still often regarded as exemplary in their values proposals and ethical standards by Latin American politicians, while the authoritarian bloc, including China, Russia, Iran and their sympathizers, in the eyes of these politicians offers an «alternative globalization» or «second globalization»⁹ grounded in a consistent economic pragmatism without overarching value roof. This

5 S. Kurtenbach, *Latin America – Multilateralism without Multilateral Values*, in «GIGA Focus Latin America», 7, 2019 <https://www.giga-hamburg.de/en/publications/giga-focus/latin-america-multilateralism-without-multilateral-values>.

6 M. Herz, G. Summa, *The UN and the Multilateral System are in Crisis- What the Global South Must Do*, in «The Conversation», September 28, 2023, <https://theconversation.com/the-un-and-the-multilateral-system-are-in-crisis-what-the-global-south-must-do-214515>.

7 UNESCO, *UNESCO unveils its new Global Campaign: Sharing Humanity*, 6 July 2023, <https://www.unesco.org/en/articles/unesco-unveils-its-new-global-campaign-sharing-humanity>.

8 S. Sackur, *Gabriel Boric-President of Chile*, in BBC HARDtalk, 21 July 2023, <https://www.bbc.co.uk/programmes/m001nznr>.

9 R. Benedikter, *The New Global Direction: From 'One Globalization' to 'Two Globalizations'? Russia's War in Ukraine in Global Perspective*, in «New Global Studies», 17, 2023, pp. 71-104.

appeals to populist leaders both of the left and the right with its straightforward and unembellished approach. The effects have been best seen in the example of Latin America's largest nation Brazil, where both President Jair Bolsonaro (rightist, president 2019-2022) and his predecessor and successor Luis Inácio Lula da Silva (leftist, president 2003-2010 and since 2023, and also President of the G20 2023-2024) have sympathized with Russia even after its invasion in Ukraine and refused to choose sides or even to condemn the respective violation of international law.

3. The role of advanced technologies in an increasingly complex environment

Against the backdrop of such pronounced ambivalence which characterizes the contemporary international environment, new technologies play a far greater role in their function of «contextual politics»¹⁰ than ever before. Contextual politics means that they act as indirect and implicit drivers of political and regulatory alliance-building irrespective of formal systemic alignment. As the AI and Chatbot revolutions have broken through on full scale just since 2022's unprecedented rise to popularity of ChatGPT, the subsequent race for Chatbot dominance has been joined by a multitude of actors both from open and closed societies. Thus the need for the regulation of double-use tech-innovation is offering new options for maneuver on the international stage. Whoever presents a sound combination of pragmatism with – more or less – win-win orientation may gain the upper hand in collaborating with advancing tech-societies. Latin American governments and populations are no exception here and have recognized the opportunity of a more informal and less value-based tech-politics that is starting to dominate traditional international relations and global competition. Given that China over the past few years has put into place some of the toughest, strictly government-centered AI regulations in the world which can hardly be duplicated in most Latin American political and societal environments, Western democracies which are on the edge of forging their own rules-based order, can now demonstrate that liberal global institutions have both a more economically useful and morally sound offer to make¹¹.

In short, if the competition for cooperation with non-aligned actors intensifies, advanced technology stands out as a key field in the coming years to establish leverage for exchange on a progressive socio-economic basis. This is, among other reasons, the case why Latin American governments have quickly recognized what experts have long predicted: that both disruptive and capillary technologies such as Artificial Intelligence and Blockchain «can contribute to transform development models»¹².

10 R. Goodin, C. Tilly (eds), *The Oxford Handbook of Contextual Political Analysis*, Oxford University Press, Oxford 2006.

11 M. Sheehan, *China's AI Regulations and How They Get Made*, in «Carnegie Endowment for International Peace», July 10, 2023, <https://carnegieendowment.org/2023/07/10/china-s-ai-regulations-and-how-they-get-made-pub-90117>.

12 ECLAC/CEPAL-United Nations Economic Commission for Latin America and the Caribbean / Comisión Económica para América Latina, *Artificial Intelligence Can Contribute to Transforming Development Models in Latin America and the Caribbean to Make Them More Productive, Inclusive and Sustainable*, August 11, 2023, <https://www.cepal.org/en/pressreleases/artificial-intelligence-can-contribute-transforming-development-models-latin-america>.

This insight fully materialized, in exemplary ways, at the launch conference of the first Latin American *AI Index* report in August 2023 by the Economic Commission for Latin America's (ECLAC's) at its headquarters in Santiago de Chile¹³. The event was led by the organization's Executive Secretary, José Manuel Salazar-Xirinachs, the Chilean Minister of Science, Technology, Knowledge and Innovation. ECLAC is one of the United Nations' five regional commissions meant to encourage economic cooperation within and beyond the region and irrespective of ideological inclinations. The event emphasized that the AI revolution is being embraced by most Latin American actors, and that in general the continent and its populations welcome it as an opportunity for more rapid development, greater social balance, and increased participation. As Daniel Rodríguez Maffioli wrote

A.I. presents a unique confluence of opportunities and challenges, particularly for Latin America. This region, with its diverse cultural, political and socioeconomic landscape, stands at the forefront of a technological revolution that promises to reshape industries, governance and societal norms. However, navigating this transformative wave requires a tailored approach to AI regulation, one that harmoniously blends global trends with the distinct realities of Latin American countries. The region's participation in global AI regulation debates is not merely a matter of following trends but of asserting its voice to shape ethical and democratic AI use globally. As countries like Argentina, Brazil, Chile, Colombia, Costa Rica and Mexico, to mention a few, chart their national AI strategies, the need to transition from passive participation to active influence becomes clear. As Latin America continues to integrate AI technologies into its social and economic fabric, the need for a balanced and tailored regulatory framework becomes increasingly apparent. The region's integration into the international tech landscape, coupled with its dependence on foreign investment and technologies, highlights the need for a regulatory approach that is adaptable to both global standards and local realities.

In fact, there are many attempts toward concretization in that direction already underway. Latin American countries are even leading in terms of regulation efforts since in comparison to Western attempts these are often less tied to normative and often more open to experimental approaches. Nevertheless, most of these efforts are still in their early phases and sometimes operate on insecure bases. Thus the challenge for regulators will be to stably stand with them and continuously evolve them, in the ideal case by taking in experience from different actors both institutionally and nation-wise. As Maffioli concludes

In terms of regulation, many Latin American countries are proactively moving toward legislative action. Numerous bills have been introduced in respective parliaments and legislative bodies, reflecting a growing awareness and intent to establish a legal framework governing AI. These legislative efforts demonstrate the region's commitment to planning its AI future, even as it deals with unique socioeconomic, educational and political challenges. One promising avenue for Latin America in the

13 ILIA: Índice Latinoamericano de Inteligencia Artificial.

realm of AI regulation is the exploration of experimental regulatory mechanisms, particularly regulatory sandboxes and prototypes. These innovative and flexible approaches provide a practical platform for testing AI applications in real-world scenarios. By doing so, they allow for risk management and learning in a controlled environment. Such mechanisms are especially beneficial in a field as dynamic and rapidly evolving as AI, enabling regulators and innovators to collaborate, adapt and refine AI applications before they are fully integrated into society. Chile and Colombia are cases of countries in the region that are implementing these mechanisms with apparent success.¹⁴

The open-minded and at the same time rapidly – and highly differentiated – evolving environments in different countries and their socio-economic and political ecosystems in the region are just some reasons why in April 2023 it was possible to launch the EticALIA initiative, dedicated to the ethics for public policies on AI in Latin America and the Caribbean. As the organizers of the Brazil-based transnational initiative stated

The Consortium of Ethics for Public Policies on Artificial Intelligence for Latin America and the Caribbean (EticALIA) aims to discuss AI research in relation to ethics and societal challenges such as Sustainable Development, and the use of AI technologies in the most varied areas and sectors of LAC societies to mapping the sensitive points of AI use. The main question that guides the Consortium: What can be done to increase the capacity of LAC countries to produce ethical high-tech AI policies and research?

In November 2024, the first *Latin American Ethics on Artificial Intelligence Conference (LAAI-Ethics)* took place in Niterói, Brazil, at the Computing Institute of the Universidade Federal Fluminense (UFF). The event pursued three goals: first, to position Brazil as an influential player in the evolving regulation landscape; second, to search for inter- and transdisciplinary perspectives on AI; and third, to seek transnational understandings and common ground for a minimal common denominator on regulatory ethics in the geopolitical area, and beyond. As these dimensions will remain crucial for the coming years, it has to be pointed out that all three these goals have to be conceived as interdependent and, at the same time, as not reducible onto each other also in all future initiatives. As the organizers pointed out,

Brazil is a major player in Latin America and, as such, it is uniquely positioned to influence the discussions and development of ethical and responsible AI in the region. [We must bring] together researchers from academia and practitioners, including decision-makers and industry professionals, from different areas of knowledge – computing, communicators, health and legal professionals, philosophers, etc. [We must] promote dialogue and raise awareness among those involved about the need for

14 D.R. Maffioli, *AI regulation in Latin America: Balancing global trends with local realities*, in IAAP, <https://iapp.org/news/a/ai-regulation-in-latin-america-balancing-global-trends-with-local-realities>.

development of practical and well-founded solutions for a more ethical, responsible and inclusive AI. [We should recognize] the historical trajectories shared between Latin American countries, which highlight the need to think of their own solutions to face this challenge. However, [we] also recognize the universality of ethical concerns in AI and that solutions developed for other countries can also contribute to the development of ethical AI at the regional level, thus promoting dialogue and discussion of problems and solutions by inviting participants from global groups to contribute to the dialogue. Furthermore, by promoting inclusive discussions across cultures and perspectives, LAAI-Ethics strives to create a platform where solutions can be crafted and shared collaboratively.¹⁵

It was hardly a case that this initiative converged at a leading university of the region. In a report on the future of Latin American universities, it was pointed out from early on in the debate that the challenge of regulating AI in and for the region may involve universities and educational institutions on the first front. This is because universities not only co-develop the respective solutions for societies in the framework of scientific expertise for governments and civil society, but also – increasingly – serve as carriers of scientific diplomacy to seek for common ground across national borders as proposed and deployed, for example, by UNTRAD, the 2022 founded UN Unit on Non-Traditional Diplomacy at the Institute on Comparative Regional Integration Studies of the University of the United Nations (UNU-CRIS). UNTRAD tries to develop a transnational dialogue particularly on new disruptive and capillary technologies such as AI to become vessels for «contextual political» diplomacy, where – aside from systemic and ideological considerations – new ties among international actors are forged through the practical and applied challenges of emerging problems and developments in post-formal, informal or alternative ways. Yet Universities are, even more immediately, also confronted with the ethical employment of AI tools as the basis of new *curricula* of education, and thus at the roots of Latin America's futures. As Marina Fernández-Miranda and colleagues rightly underscored in April 2024:

The integration of artificial intelligence in Latin American universities has raised ethical challenges among faculty members. Understanding and addressing these challenges is crucial for a successful implementation of artificial intelligence in the educational context [...]. The concerns vary in magnitude and nature, but they reflect [...] the urgency of addressing [them] in an anticipatory and strategic manner.¹⁶

These topics were echoed at the second *Forum for Ethics of Artificial Intelligence* (*Foro Ética de la Inteligencia Artificial*) in Montevideo, Uruguay, in October 2024. The Second Ministerial Summit on the Ethics of Artificial Intelligence in Latin America and the Caribbean was held under the title *Towards a responsible use of*

15 Consortium of Ethics for Public Policies on Artificial Intelligence for Latin America and the Caribbean / EticALIA.

16 M. Fernández-Miranda et al., *Artificial Intelligence in Latin American Universities: Emerging Challenges*, in «Computación y Sistemas», 28, 2024, pp. 435-450.

AI in our region and promoted by UNESCO, CAF and the Uruguayan Agency for Electronic Government and Information Society (Agesic) «following up on the commitments established during the first Summit in 2023. The summit

was attended by high-level representatives from more than 20 countries, as well as representatives from the private sector. During the Summit, regulatory and governance initiatives for AI were discussed. It also discussed how to ensure the design and implementation of appropriate public policies that maximize the opportunities and minimize its potential risks. Progress was also made in establishing a regional work agenda and defining common strategies for more responsible AI development.

The summit summarized its findings as follows:

In order to create a society based on responsible AI solutions, it is essential to have a public policy framework that includes ethical principles, as recommended by UNESCO since 2021 and other more recent initiatives by the United Nations, the OECD or the European Commission. But it is also essential to have people trained and educated in this new disruptive technology like AI. To this end, we need to work together, from the public sector to the private sector, through public-private partnerships, to harness the opportunities of AI and reduce the risks, while protecting the most fundamental rights of our society. Only in this way can we all work together to build a successful and inclusive digital transformation that is people-centred, value-based and of benefit to all.¹⁷

As in this occasion, international assistance in starting to coordinate these and other efforts has not failed to arrive from early on. UNESCO, the world's educational, scientific and cultural organization, has significantly aided to establish appropriate discourse and *fora* throughout the region since the very first inception of the debate in the late 2010s. For example, when on 13 and 14 June 2024 the first *Regional Summit of Parliamentarians on Artificial Intelligence and the Latin America Agenda* was held in Buenos Aires, which brought together 30 parliamentarians from across the region, UNESCO presented nine guiding principles for the ethical regulation of AI not tied to any nation in particular, but with the intent to foster debate and integration among Latin American governments, agencies and NGOs.

And earlier in 2024,

UNESCO, in partnership with Inter Parliamentary Union (IPU) and the Internet Governance Forum (IGF) Parliamentary Track, organized capacity-building workshops for parliamentarians, reaching representatives from 110 parliaments worldwide. These initiatives underscore the growing role of parliamentarians in shaping legislative and policy frameworks to harness AI's benefits while addressing its challenges.¹⁸

17 N. Moreno Rigollot, *2nd UNESCO Ministerial Summit: Ethics of AI in Latin America and Caribbean*, in «Telefónica», 16 October 2024, <https://www.telefonica.com/en/communication-room/blog/2nd-unesco-ministerial-summit-ethics-ai-latin-america-caribbean/>.

18 UNESCO, *Paving the Way: UNESCO Informs AI Regulation in Latin America*, 16 August 2024, <https://www.unesco.org/en/articles/paving-way-unesco-informs-ai-regulation-latin-america>.

Similarly, the OECD AI Policy Observatory has accompanied Latin American developments since the start of the 2020s by infusing its *OECD AI Principles for a Trustworthy AI* in cooperation with major global universities and think-tanks. The principles were adopted in 2019 and updated in 2024, with input also from Latin American actors, specifically Chile, Mexico, Colombia and Costa Rica¹⁹.

4. *At the core: Initiatives towards the concretization of tools and capacities*

What has become obvious throughout all these formats though is, as it had to be expected, that words alone will not be enough. Deeds are needed to confront growing uncertainties due to the acceleration and fast pace of AI development which makes stable regulation year by year more difficult and constant adaptation a necessity of futures governance of the sector. In moving forward, there have been identified rather consensually in essence three primary challenges which are being faced by Latin American initiatives regarding an 'ethical' public stance on AI:

- 1) to balance and integrate global and local needs, including cultural framings and educational capabilities and social capacities;
- 2) to concretize transnational dialogical initiatives by providing practical tools and capacities to the region;
- 3) to intensify exchange on these tools by sharing the respective experiences with international partners in order to refine AI applications over time, remain pro-actively self-critical and get the debate enriched on a steady and constant basis.

Since the 2020s, concretizing initiatives regarding tools and capacities abound mainly in two formats: first, mapping the landscape of AI regulation in Latin America in comparative ways to confront, compare and integrate policies by best practice approaches equipped with a good dose of contextual flavor; and second, by promoting concrete solutions found by single actors for comment and scrutiny throughout the region. As for the first aspect, maps of the AI landscape in the meantime abound. In their vast majority, they are interconnected by one and the same question: «Foster innovation or mitigate risk?»²⁰. Both depend on the AI readiness of the concrete environment, which in turn in Latin America depends over-proportionally on the respective nation. Not by chance Andrés Mosqueira and Shaanty Emmanuel Rubio Gonzales in a November 2024 report pointed out that the readiness levels are very different throughout the region, ranging from the no.1 ranked Chile with 72.67/100 points on their evaluation scale to Brazil, Uruguay and Argentina ranked in the 60s and 50s to Paraguay and Bolivia with 18.82 and 15.1 points respectively. This sug-

19 C. Pombo, *The IDB is bringing responsible and ethical AI to Latin America and the Caribbean*, in «OECD.AI Policy Observatory/GPAI», 3 June 2020: <https://oecd.ai/en/wonk/idbs-initiative-for-responsible-ethical-ai-in-latin-america-caribbean-fairlac>.

20 A. Mosqueira, E. Rubio Gonzales Shaanty, *Foster innovation or mitigate risk? AI regulation in Latin America*, in «White & Case», 18 November 2024, <https://www.whitecase.com/insight-our-thinking/latin-america-focus-2024-ai-regulation>.

gests that any alignment of programs will be for the group of leading nations, while those at the bottom of the list might first have to create the conditions for development in the first place. Similarly, other analysts referred to the fact that founding conditions and starting explorations of the issue fare quite different across the area. For example, Dialzara in its 2024 report *AI Regulation in Latin America: Strategies, Policies, Compliance* underscored that Argentina, Brazil or Peru were travelling at a different speed from other nations, and that nevertheless each of them complied differently with the so far rather thinly implemented international recommendations on the matter²¹.

Another example with quite similar results was the 2024 summary *Mapping Artificial Intelligence Regulation in Latin America* by «TechPolicy Press»²² dedicated to the results of the report *Regulatory Mapping on Artificial Intelligence in Latin America. Regional AI Public Policy Report*²³ of the U.S. based digital citizens' rights NGO AccessNow. One of its main teachings was that there remains the danger that «AI is being used to control marginalized communities and limit access to information, highlighting a lack of transparency, regulation, and accountability»²⁴.

Taken together and in essence, the regulatory mapping of AI in Latin America is progressing at a rapid pace, and for the (comparative) benefit of most actors involved. It does so, despite the very different actors, in many ways more consistently, and – most importantly – with greater coordination effort with global bodies that in many Western countries, and perhaps even in the Western hemisphere in total. This effort bears the potential for a truly area-specific but highly pluralistic and differentiated view on the topic from a rather 'neutralized' ideological and systemic stance. It could thus make the choice of ANA a productive one not only among the ideologically very different actors of the area, but also in the geopolitical surroundings and perhaps even as a global inspiration for a world of multipolar and deeply «incommensurable»²⁵ powers and worldviews. It could thereby contribute to make ANA a positive element in the ongoing re-globalization process²⁶.

As for the second aspect, UNESCO has provided training in the relation between artificial intelligence and the rule of law to judges in Latin America and the Caribbean since 2023²⁷. The training aims at providing tools to judges in the framework

21 *AI Regulation in Latin America: Strategies, Policies, Compliance*, 20 May 2024, <https://dialzara.com/blog/ai-regulation-in-latin-america-strategies-policies-compliance/>.

22 N. Cisneros, *Mapping Artificial Intelligence Regulation in Latin America*, in «Tech Policy Press», 16 August 2024, <https://www.techpolicy.press/mapping-artificial-intelligence-regulation-in-latin-america/>.

23 G. Giandana, G. Pisanu, *Regulatory Mapping on Artificial Intelligence in Latin America. Regional AI Public Policy Report*, in «AccessNow», July 2024: <https://www.accessnow.org/wp-content/uploads/2024/07/TRF-LAC-Reporte-Regional-IA-JUN-2024-V3.pdf>.

24 N. Cisneros, *Mapping Artificial Intelligence*, cit.

25 J.-F. Lyotard, *The Differend: Phrases in Dispute*, University of Minnesota Press, Minneapolis 1988.

26 R. Benedikter, *What is Re-Globalization?*, in «New Global Studies», 15, 2020, pp. 1-12. See also R. Benedikter, M. Gruber, I. Kofler, (eds.), *Re-Globalization. New Frontiers of Political, Economic and Social Globalization*, Routledge, London 2024.

27 UNESCO, *Tools for ethical use: Latin American and Caribbean judges receive training in Artificial Intelligence and the Rule of Law*, 6 September 2024, <https://www.unesco.org/en/articles/tools-ethical-use-latin-american-and-caribbean-judges-receive-training-artificial-intelligence-and>.

of four modules based on UNESCO's 2023 *Global Toolkit on Artificial Intelligence and Rule of Law for the Judiciary* (*Kit de herramientas global sobre IA y el estado de derecho para el poder judicial*²⁸). It also seeks to foster exchange among the judiciaries of different countries, thus promoting the transnational sharing of best practices in different contexts, as well as of experiences and experiments with the new tools. As the organization reported in September 2024:

More than 40 judges and professors from Judicial Schools in Latin America and the Caribbean are receiving training on *Artificial Intelligence and the Rule of Law* in a training activity organized by UNESCO together with the Inter-American Court of Human Rights, with the support of the European Union. The activity [took] place from November 15 to 17, 2023 in San José, Costa Rica. This training program aims to provide judges, prosecutors, lawyers and other stakeholders in the judicial sector around the world with access to the information and tools necessary to understand and consider the benefits of Artificial Intelligence (AI) for their work. At the same time, the training programme will help the judicial sector recognize the drawbacks and risks of AI, including bias, discrimination, black boxes, lack of accountability and transparency. It will also help the justice sector make better decisions and reduce potential risks to human rights by providing guidance and insights on the principles, regulations and relevant jurisprudence that underpin the responsible use of AI in justice sector contexts.²⁹

5. Using the AI revolution for social progress

Overall, in most Latin American countries the incoming AI revolution is being embraced positively and from early on by professional branches and associations as well as by different strata of the populations. The main reason is that AI is generally regarded as a potential universal catalyst for the better, more sustainable employment of capacities, for the development of more interconnected capabilities and, in general, for a smoother functioning of society and thus for a better life.

In the meantime, there has been broad public rhetoric offensive by a multitude of regional socio-political actors and forces that advocate for greater cooperation and employment of AI technology for participatory approaches. Participation and citizen involvement remain crucial problems throughout all Latin American societies, including the most advanced economies like Chile³⁰. Across the geopolitical area, numerous publications highlight how AI can serve as a leverage for the social good, with a special focus on its potential to reshape involvement into urban development and the renewal of the continents' swelling cities³¹. Global organizations such as the

28 UNESCO, *Kit de herramientas global sobre IA y el estado de derecho para el poder judicial*, 2023, https://unesdoc.unesco.org/ark:/48223/pf0000387331_spa.locale=en.

29 UNESCO, *Tools for ethical use*, cit.

30 M. Salazar, *Public Participation in Constitutional Reform: The Challenges of Chile's Experiments in Expanding Citizen Involvement*, in J. Barandiaran, T. Partridge (eds.), *Demanding a Radical Constitution*. Palgrave Macmillan, Cham 2025.

31 A. López Lamia, *The Promise and Risks of Artificial Intelligence in Latin America and the*

above mentioned OECD have assisted this trend, and repeatedly emphasized the potential of the ‘responsible’ use of AI for improving the public sector in the Latin American region. They have indicated that seizing the opportunity that AI presents can substantially impact health, agricultural, and financial sectors³². In their view, AI has the potential to generate forward-oriented impulses across Latin American industries and even contribute to new policy futures, including innovative approaches to the notoriously neglected sector of equal education. According to proponents like Bill Gates, Chatbots can (and will) soon provide a personalized educational assistant to every child³³. They think this may positively impact the learning curves particularly of the lower strata of societies which cannot afford a human tutor. If this turns out to be plausible it could affect Latin American societies in their core, given that most of them struggle with deficiencies in – and long inbuilt inequality of – their educational sectors in all three the primary, secondary and tertiary sectors³⁴. Moreover, it could also create new informal patterns of cooperation among Latin American countries and their global partners, given that human-centered education will get more important proportionally to the progress of AI as an educational core tool³⁵.

Consequently in March 2020, UNICEF, the United Nations Children Fund, underscored the potential of AI to provide better education, childcare and support innovative youth policies in Latin America through its *AI for Children* initiative³⁶. And as early as in October 2020, the United Nations Interregional Crime and Justice Research Institute (UNICRI) pointed out through its *AI for Safer Children* initiative that AI could play a crucial role in improving justice and crime prevention in the Latin American region through the introduction of new tools, including misuse of young people. The respective UNICRI report listed various technology-based new capabilities, including

visual analytics-based reasoning for criminal intelligence analysis; a software system that automatically prepares legal opinions based on similar cases for which there are already repeated legal precedents; a real-time hotspot mapping and crime forecasting platform for law enforcement; and data analysis techniques that complement government public policy efforts in the fight against tax evasion.³⁷

Caribbean's Urban Development. in «IDB Blogs Cuidades Sostenibles», 15 August 2023, <https://blogs.iadb.org/ciudades-sostenibles/en/promise-risks-artificial-intelligence-latin-america-caribbean-urban-development-cities/>.

32 OECD/CAF, *The Strategic and Responsible Use of Artificial Intelligence in the Public Sector of Latin America and the Caribbean*, OECD Publishing, Paris 2022.

33 CNBC, *Bill Gates says A.I. could transform education*, 15 August 2023, <https://www.cnbc.com/2023/08/15/bill-gates-ai-tutors-will-be-like-a-great-high-school-teacher.html>.

34 S.Z. Salas-Pilco, Y. Yuquin Yang, *Artificial intelligence applications in Latin American higher education: a systematic review*, in «International Journal of Educational Technology in Higher Education», 19, 2022.

35 F. Van Cappelle, *Can AI transform learning for the world's most marginalized children?*, in «World Economic Forum», 17 October 2023, <https://www.weforum.org/stories/2023/10/ai-education-learning-marginalized-unicef/>.

36 UNICEF, *AI for children* (w.d.), <https://www.unicef.org/innocenti/projects/ai-for-children>.

37 UNICRI, *AI for safer children initiative* (2022ff.), https://unicri.it/News/AI-for_Safer-Children-Technology-Providers.

Inherent in the development and – most probably imminent – application of these tools, the AI and Chatbot policies in Latin America have been entwined with legal and social considerations. This has triggered contentious public debates throughout the region. Compounded by recurring populist trends and the precarious nature of fundamental tenets in Latin American democracies, local civil societies in the region have exhibited concerns with regard to individual rights and privacy – concerns that might become exemplary also for other parts of the world. According to the World Justice Project in May 2023 «rule of law surveys in twenty-three Latin American and Caribbean countries capture[d] authoritarian trends and widespread mistrust»³⁸. This has further underscored the already high demand for regulation against the authoritarian misuse of new technologies such as AI, Chatbots and social media. In this regard, Mancilla-Caceres and Estrada-Villalta have listed as main problems:

The power differential between the developers of AI applications and the Latin American users; the lack of access to education in general, which restricts access to information about the actual capabilities and limitations of AI systems; and the relatively low importance of the voices and cultural patterns of communities that are culturally distinct from other settings in the Global South (e.g., overgeneralizing understandings of Latin America as similar to Africa or Asia). [There are also] ethical issues classified according to their association with the extent of understanding of AI and how it is trained, and to their societal impacts across Latin American societies. [There is a] need to further understand the challenges relevant to the region, which can serve as a reference for future conversations with diverse and underrepresented communities.³⁹

Over the past few years, Mexico and Argentina have been leading the way regarding the implementation of participation-oriented AI tools in economic, public, and private domains⁴⁰. However, Brazil, Chile, and Peru as at yet are the only three countries equipped with adequate regulation, as reported by the Latin American AI Index in 2023⁴¹. Independent non-profit organizations such as *Derechos Digitales* (*Digital Rights*) in Santiago de Chile, assert that despite the aspirational use of AI for social innovation, regulations on «algorithmic decision-making» remain in their early stages throughout Latin America, mirroring partly stark delays in other regions. Nevertheless, there is a growing consensus that regulations must be aligned with international initiatives, while also being properly tailored to the specific context of each country. As the *Datasphere Initiative* pointed out in June 2023, challenges in the Latin American region include particularly: «the lack of quality data, its inacces-

38 World Justice Project, *Rule of Law Surveys in 26 Latin American and Caribbean Countries Capture Authoritarian Trends and Widespread Mistrust*, May 17, 2023, <https://worldjusticeproject.org/news/rule-of-law-surveys-latin-america-caribbean-authoritarian-trends>.

39 J.F. Mancilla-Caceres, S. Estrada-Villalta, *The Ethical Considerations of AI in Latin America*, in «Digital Society» (DISO), 16, 2022.

40 Marca Sur, *Mexico Leads the Way in Artificial Intelligence in Latin America*, 31 August 2023, <https://marcasur.com/en/noticia.php?ID=4157&f=08-2023>.

41 D.S. Castellanos, *Which Latin American Countries Lead the Way in AI Regulation?*, «Bloomberg», 30 August 2023, <https://www.bloomberglinea.com/english/which-latin-american-countries-lead-the-way-in-ai-regulation/>.

sibility, insufficient interoperability, [and] the lack of a culture of transparency that allows data to be shared between organizations and regions»⁴².

Cybersecurity, for example, stands out as a specific structural concern that remains insufficiently developed throughout the region. More generally, critics underscore that AI could «threaten to widen Latin America's digital divide» if its deployment is not dedicated to more equal education and aligned with the systematic broadening of emancipation policies⁴³. Furthermore, there are concerns about AI acting as an unfair selector in the already rather untransparent employment sector in single Latin American nations⁴⁴. The bulk of these critiques emphasizes the need for a more comprehensive approach that considers not only technological advancements but also their broader societal implications to ensure equitable and inclusive outcomes in the region.

6. Recommendations

Overall, today there is widespread consensus that, as Maia Levy Daniel puts it, «AI regulation in Latin America requires a thoughtful process»⁴⁵. Given the forecast that AI could boost the Latin American region's GDP by 5 percent by 2030, the question is how this economic advancement, when realized, will be distributed among and within countries, and which countries will undergo which transformation process exactly to compete for it. Particular challenges range from how effective AI content generation may become, to the future of edge computing and network optimization, to the degree of sector sustainability and resilience achievable in Latin America⁴⁶. Challenges also include the notorious issue of brain drain given that Latin American AI specialists still tend to migrate to «richer pastures abroad»⁴⁷. This latter challenge is particularly pronounced as the AI and Chatbot landscape is explicitly global, rather than regional, according to the very nature of advanced technologies itself.

To address these challenges, and to implement a cooperative regional strategy, the Inter-American Development Bank has been gradually establishing the fAIr

42 M. Rozo-Paz, A. Palomino, *Use of Data and Artificial Intelligence in Latin America and the Caribbean: Trends and Challenges*, in «The Data Sphere», June 15, 2023, <https://www.thedatasphere.org/news/trends-and-challenges-in-the-use-of-data-and-artificial-intelligence-in-latin-america-and-the-caribbean/>.

43 J.P. Spinetto, *AI Threatens to Widen Latin America's Digital Divide*, «Bloomberg», 7 June 2023, <https://www.bloomberg.com/opinion/articles/2023-06-07/ai-threatens-to-widen-latin-america-s-digital-divide>.

44 J. Pulido, *AI in Latin America: Engine of progress or threat to privacy and employment?*, in «Contexto», 18 August 2023, <https://contexto.com/en/venture-capital/ai-in-latin-america-engine-of-progress-or-threat-to-privacy-and-employment/>.

45 M.L. Daniel, *AI Regulation in Latin America Requires a Thoughtful Process*, in «Techpolicy», 27 July 2023, <https://www.techpolicy.press/ai-regulation-in-latin-america-requires-a-thoughtful-process/>.

46 See Forbes, *AI-Generated Content: Is it Effective in Latin America?*, 7 June 2023, <https://www.forbes.com/sites/forbesagencycouncil/2023/06/07/ai-generated-content-is-it-effective-in-latin-america/?sh=3f2d4fe3346c>.

47 Deutsche Welle (DW), Series Digital World Latin America, *Latin America's AI specialists head to richer pastures*, 29 July 2023, <https://www.dw.com/en/latin-americas-ai-specialists-head-to-richer-pastures/video-66375028>.

LAC initiative since 2019⁴⁸. This initiative aims to promote the fair and equal use of AI in the region, with the goal of reducing inequality and improving social services throughout Latin America. To master the tricky field of intellectual property protection in Latin America's highly differentiated and – according to all Indexes, for example the Corruption Perception Index 2023 and the 2023 Capacity to Combat Corruption (CCC Index) – rather corruption-prone environment, the EU has recently created its own regional helpdesk on the matter, not least to study the effect of regulations and measures and learn from the results for its own regulatory future⁴⁹.

In fact, the fast-transforming AI landscape is deeply imbued with ethical considerations. This includes ethics as a hard-core strategic factor. Some Latin American actors intend to position themselves as a global experimental hub in applied ethics, aiming at potentially playing a key role in shaping the future ethical dimensions of AI. Notably, the Regional Forum on Artificial Intelligence in Latin America and the Caribbean in June 2019 sought to anticipate innovative pathways towards a neo-humanistic approach, taking into account the diverse potential social consequences of AI in Latin America⁵⁰. In June 2022, the CAF-Development Bank of Latin America and UNESCO announced a long-term cooperation initiative on the implementation of the UNESCO *Recommendation on the Ethics of Artificial Intelligence in Latin America and the Caribbean*, following the guidelines of the UNESCO *Ethics of Artificial Intelligence General Program* launched in 2021. Among other measures, the partners revealed plans to establish a 'special council' to review ethical criteria for AI in Latin America and the Caribbean⁵¹.

On October 23 and 24, 2023, the first Ministerial and High Authorities Summit on the Ethics of Artificial Intelligence (AI) in Latin America and the Caribbean (LAC) took place in Santiago, Chile. It was followed up by a second summit in October 2024 which produced a *Roadmap for Ethical Artificial Intelligence for Latin America and the Caribbean 2024-2025*. The goal of the latter was «to channel and prioritize efforts»⁵² regarding the ethicization of AI according to five main clusters of action: 1. Governance and Regulation, 2. Skills and the future of work, 3. Protection

48 C. Pombo, *The IDB is bringing responsible and ethical AI to Latin America and the Caribbean*. «OECD.AI Policy Observatory», 3 June 2020, <https://oecd.ai/en/work/idbs-initiative-for-responsible-ethical-ai-in-latin-america-caribbean-fairlac>.

49 European Commission / European Innovation Council and SMEs Executive Agency, *AI and Copyright protection in Latin America*, «EC News Blog», 16 October 2023, https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/ai-and-copyright-protection-latin-america-pt-ii-2023-10-16_en.

50 UNESCO, *Artificial Intelligence, Towards a Humanistic Approach*, n.d., <https://en.unesco.org/artificial-intelligence/latin-america-forum>.

51 See UNESCO News, *CAF and UNESCO will create a council to review ethical criteria for artificial intelligence in Latin America and the Caribbean*, 23 June 2022, <https://www.unesco.org/en/articles/caf-and-unesco-will-create-council-review-ethical-criteria-artificial-intelligence-latin-america-and>. Cf. UNESCO (2022).

52 UNESCO News, *Chile will host the First Latin American and Caribbean Ministerial and High Level Summit on the Ethics of Artificial Intelligence*, 25 September 2023, <https://www.unesco.org/en/articles/chile-will-host-first-latin-american-and-caribbean-ministerial-and-high-level-summit-ethics?hub=32618>.

of vulnerable groups, 4. Environment, Sustainability and Climate Change, and 5. Infrastructure⁵³. This roadmap was also meant to serve as a transnational platform for policy convergence which could ultimately make AI a unifying factor in Latin American politics at-large.

The UNESCO-led Ibero-American Business Council on AI, involving contributions from Latin American companies, has also existed for some years now⁵⁴. This effort has extended to national levels, with Brazil cooperating with UNESCO to implement ethical expertise in its AI decisions and programs⁵⁵. According to evaluations, Brazil is already using AI rather efficiently to fight illiteracy⁵⁶. Indeed, the country is receiving increasing recognition for its use of AI in education, which is an ethical field per se with broad impact on many other sectors of society⁵⁷. As UNESCO prepares additional ethical recommendations across several fields of new technologies, many of them AI-related, the range of ethical and regulatory applications is poised to expand and be refined constantly over the coming years.

7. Potential innovation platforms: Anticipatory Innovation Governance (OECD), Futures Literacy (UNESCO) and the debate about new SDGs on AI (global civil societies)

Some of these approaches converge in a series of innovation platforms which are currently expanding and could represent a chance for Latin America to refine its outreach and improve its footprint on the AI innovation front.

One such platform is the OECD's OPSI (Observatory of Public Sector Innovation) methodology of Anticipatory Innovation Governance (AIG)⁵⁸. The AIG platform tries to push anticipatory models of exploration in various sectors of public governance, including avant-garde technology, and to interconnect best prac-

53 Ministerial and High-Level Authorities Summit on the Ethics of Artificial Intelligence in Latin America and the Caribbean, *Roadmap for Ethical Artificial Intelligence for Latin America and the Caribbean 2024-2025*, 2 October 2024.

54 UNESCO, *Business Council on Ethics of AI*, n.d., <https://www.unesco.org/en/artificial-intelligence/business-council>.

55 UNESCO Brasilia, *Ethics of Artificial Intelligence (AI) in Brazil*, 19 October 2023, <https://www.unesco.org/en/fieldoffice/brasil/expertise/artificial-intelligence-brazil>.

56 UNESCO Brasilia, *Brazil programme awarded UNESCO Prize for using AI to improve writing skills*, 18 May 2020, <https://www.unesco.org/en/articles/brazil-programme-awarded-unesco-prize-using-ai-improve-writing-skills?hub=66903>.

57 UNESCO Brasilia, *Laureates from Brazil and Spain to receive UNESCO King Hamad Bin Isa Al-Khalifa Prize for their use of AI in education*, 12 May 2020, <https://www.unesco.org/en/articles/laureates-brazil-and-spain-receive-unesco-king-hamad-bin-isa-al-khalifa-prize-their-use-ai-education?hub=66903>.

58 OECD/OPSI, *Anticipatory Innovation Governance (AIG): Shaping the future through proactive policy making*, 24 December 2020, <https://www.oecd.org/science/anticipatory-innovation-governance-ccc14d80-en.htm>. Cf. OPSI (Observatory of Public Sector Innovation), *Anticipatory Innovation Governance: Exploring the future and taking action today*, n.d., <https://oecd-opsi.org/work-areas/anticipatory-innovation-2/>.

tices among countries and governments. As initiatives to establish experimental *GovTech ecosystems*⁵⁹ are spreading in the Latin American region, AIG finds a rich soil to grow. A second platform is the Futures Literacy (FL) education and civic laboratory methodology brought forward by UNESCO⁶⁰. Futures Literacy is the systematic attempt to explore and standardize the «use of the future for the present» by bringing together governments, experts, civil society representatives and citizens from all sectors of society. The procedure is to first deconstruct imaginaries on the future in order to then reassemble them together through organized participatory processes thus building awareness and a general futures competence. This actively includes the understanding and handling of new technologies. Since a couple of years, foresight and futures studies are thriving in the Latin American region and are pro-actively proposed for implementation by transnational organizations such as ECLAC/CEPAL⁶¹.

Both the AIG and FL methodologies try to be inclusive and to further participation wherever possible – something the autocratic use of AI by the loose global alliance of autocracies is not interested into. As the international analysis shows, on the contrary China and Russia are trying to use AI against democracy – both domestically, but increasingly also against Western elections⁶². Latin America will have to choose, sooner or later, on which side to stand, and which perspective – the democratic or the autocratic one – it considers to be closer to its own expectations and visions of future societal development.

Last but not least, there is an intense international debate of how to modernize the 17 Sustainable Development Goals (SDGs) of the United Nations launched in 2015, now to be adapted and expanded under the auspices of the unprecedented AI and Chatbot revolutions. Particularly three new SDGs are discussed to mirror these revolutions as additional 18th, 19th and 20th SDGs: 1) the Democratization of Algorithms⁶³, 2) A Meaningful and Safe Digital Life⁶⁴, and 3) Life with Artificial⁶⁵. All three topics represent the chance for innovative Latin American approaches which would make sure that the region remains at the forefront of the international debate.

59 OECDiLibrary. 5. *Digital Innovation and GovTech*, OECD and CAF Development Bank of Latin America: *Digital Government Review of Latin America and the Caribbean. Building Inclusive and Responsive Public Services*, 8 September 2023, <https://www.oecd-ilibrary.org/sites/37731966-en/index.html?itemId=/content/component/37731966-en>.

60 UNESCO, *Futures Literacy: anticipation in the 21st century*, <https://unesdoc.unesco.org/ark:/48223/pf0000372349>.

61 ECLAC/CEPAL (2023), *Foresight for Development. Contributions to Forward-looking Territorial Governance*, United Nations New York et al., <https://repositorio.cepal.org/server/api/core/bitstreams/24fee618-0f95-41a1-b3e6-d3fe7495a1c9/content>.

62 D. Milmo, *China will use AI to disrupt elections in the US, South Korea and India, Microsoft warns*. «The Guardian», 5 April 2024.

63 A. Luers, *The Missing SDG: Ensure the Digital Age Supports People, Planet, Prosperity & Peace*. in «IPS Inter Press News Agency», 6 July 2020, <https://www.ipsnews.net/2020/07/missing-sdg-ensure-digital-age-supports-people-planet-prosperity-peace/>.

64 *Advocating for an 18th Sustainable Development Goal: A Meaningful and Safe Digital Life*, in «Vertic», n.d..

65 Association Life With Artificial: *The 18th Sustainable Development Goal*, n.d., <https://lifewithartificial.com/18-sdg/>.

As there is also an intensifying debate of how AI can contribute to realize the SDGs faster⁶⁶, for example in the framework of the UNDP SDG Acceleration Agenda⁶⁷ and various innovative Systems Thinking approaches powered by AI⁶⁸, the humus for a fruitful integration of SDGs and AI is prepared.⁶⁹

8. The perspective: an evolving framework ridden by fundamental divides and tensions about the future

While the situation is in full flux, most of the so far taken steps in their majority still do not sufficiently address one of the most crucial milestones in global AI governance, the signing of the first international treaty on AI, the Council of Europe's Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law, in September 2024⁷⁰. It will be up to the Latin American lawmakers and the civil society debate to take note and include the related issues and questions in the evolving Latin American framework, since the issues raised in the EU approach and the way they are incorporated will prove to be crucial for understanding the region's perspective in shaping global AI governance. In doing so, it has recently become clearer that Western countries cannot be treated as a monolithic bloc, which was an analytical trend of previous years which nowadays oversimplifies the significant divergences between the United States and the European Union in AI governance. In reality, Europe and the U.S. have increasingly different approaches to AI regulation. The EU has developed a strong regulatory framework grounded in fundamental rights, exemplified by the EU AI Act, while the U.S. has largely maintained an innovation without permission approach. The Biden administration made small steps toward AI regulation, such as Executive Order 14110 on *Safe, Secure, and Trustworthy AI Development* of October 2023⁷¹, but the Trump administration II has rescinded both this order and Executive Order 13985 on *Advancing Racial Equity* immediately on day one of their tenure, on

66 R. Vinuesa et al, *The role of artificial intelligence in achieving the Sustainable Development Goals, Nature*, in «Nature Communications» 11, 2020, <https://www.nature.com/articles/s41467-019-14108-y>.

67 UNDP (2023), *SDG Digital Acceleration Agenda*, https://www.undp.org/sites/g/files/zskg-ke326/files/2023-09/SDG%20Digital%20Acceleration%20Agenda_2.pdf.

68 S. Clark et al., *Including Digital Connection in the United Nations Sustainable Development Goals: A Systems Thinking Approach for Achieving the SDGs*, in «Sustainability», 14, 2022.

69 D. Jungwirth, D. Haluza, *Artificial Intelligence and the Sustainable Development Goals: An Exploratory Study in the Context of the Society Domain*, in «Journal of Software Engineering and Applications», 16, 2023, <https://www.scirp.org/journal/paperinformation?paperid=124905>.

70 Council of Europe, *Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, Vilnius, 5.IX.2024. Council of Europe Treaties, No. 225, 5 September 2024.

71 U.S. Government, *Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence. A Presidential Document by the Executive Office of the President on 11/01/2023*, National Archives Federal Register, 30 October 2023, <https://www.federalregister.gov/documents/2023/11/01/2023-24283/safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence>.

20 January 2025⁷². Additionally, U.S. Big Tech has aligned with Trump to push for deregulation and pressure the EU to soften or dismantle its own AI regulations⁷³. This, by the way, mirrors the development of the basic framework of AI applications, the internet, which has turned into a 'splinternet'⁷⁴ divided between a bureaucratic and individual privacy centered EU one and a Wall Street one which propagates neoliberal entrepreneurship and the data extraction economy. It also reflects mirrors ambiguous and contested innovations as, most recently with the perspectives drawn by the second Trump administration since 20 January 2025, the strong focus on cryptocurrencies which is intended as a means of geopolitical dominance⁷⁵ in the sense of a replacement of the role of world currency of the US Dollar which has guaranteed the US wealth in the past but is doomed to decline over the coming years due to the new multipolarity in global affairs. Over the coming years, it will be crucial to analyze how Latin American countries navigate these transatlantic tensions and what implications these may trigger for AI governance in the region, not to speak of the need to address the tensions and divides with the further development of AI regulation in non-democratic global powers such as China and Russia⁷⁶.

9. Conclusion and outlook

In summary, AI and Latin America can be a winning combination if risks, challenges and concerns are addressed; and if emerging options for cross-sectoral and trans-national debates are taken up and put into as much as possible participatory practice in context- and practice-oriented cooperations between governments, science and civil society. Over the past few years, Latin American countries have showcased agility in anticipating new techno-social realities by proactively addressing emerging ethical challenges and experimenting at the forefront of techno-economic governance. This process should be regarded, in principle, optimistically, and be encouraged to continue, as international tensions and divides in the sector deepen.

The ongoing on the AI regulation front in Latin America may also serve as an invitation to the larger global democratic bloc, including the United States and

72 National Institute on Standards and Technology (NIST), *Executive Order on Safe, Secure and Trustworthy Artificial Intelligence*, w.d., <https://www.nist.gov/artificial-intelligence/executive-order-safe-secure-and-trustworthy-artificial-intelligence>.

73 P. Gross, *Trump tech appointees point to a deregulated industry, tech players say*, in «Ohio Capital Journal», 6 January 2025.

74 K. O'Hara, W. Hall, *Four Internets: Data, Geopolitics, and the Governance of Cyberspace*, Oxford University Press, Oxford 2021.

75 H. Lang, H. Trevor, *Trump orders crypto working group to draft new regulations, explore national stockpile*, in «Reuters», 24 January 2025, <https://www.reuters.com/business/finance/trump-signs-order-create-cryptocurrency-working-group-2025-01-23/>.

76 A. Cheatham, *AI at A Geopolitical Crossroads: The Tension Between Acceleration and Regulation*, «United States Institute of Peace», 13 February 2025, <https://www.usip.org/publications/2025/02/ai-geopolitical-crossroads-tension-between-acceleration-and-regulation>.

the European Union, to strengthen ethical and regulatory ties with Latin America despite all their inner differences and planned and foreseen trajectories. This call is particularly aimed at improving open-outcome and avant-garde technological cooperation, including fostering the creation of joint interdisciplinary task forces to open-endedly address the societal and, as its sub-domain, social effects of emerging technologies. Although respective agreements may remain far from perfect in the fluid and volatile international ecosystem of present-day re-globalization, the prospect of non-aligned (ANA) cooperation on the ethics of emerging technological realities with capillary societal impact presents an opportunity to deepen relations rarely developed in such transversal ways in the past decades. The stronger collaboration on AI and other future technologies could be beneficial for all involved parties and could develop to become a unifying moment beyond systemic oppositions. Despite the increasing ideological multipolarity and a climate of ambiguous deconstruction of liberal global order patterns in parts of the Global South⁷⁷, Latin America remains largely focused on pragmatic AI application experiments for social progress. These efforts could align even more closely with international frameworks, if exchange and mutual support efforts are prioritized by policymakers both in Latin America and abroad. To which extent, in this regard, initiatives such as for example the EU AI Act of 2024⁷⁸ (which has been seen by many around the globe as revolutionary in itself) may have a positive impact on the future of exchange and cooperation, remains to be seen. Daniel Rodriguez Maffioli is right in asserting:

Most countries in Latin America are drawing inspiration for their AI bills from the EU AI Act. However, the suitability of the EU legislation as a model for Latin America warrants careful consideration. The EU's framework is dictated by its specific digital regulatory experience, maturity and institutional capacity, which may not directly correspond with realities in Latin American countries. Therefore, while the EU's approach offers valuable insights, Latin America must adapt and refine these ideas to fit its own regulatory, economic and technological landscape.⁷⁹

Given these circumstances, over the next few years it may be desirable that in turn the European Union with its rather bureaucratic and probably over-normative 'privacy and protect' approach becomes more aware of the valuable Latin American explorative mindset. The EU should use the resulting feedback and experience under different and variable settings to refine its own stance and philosophy. The spiral of feedback and re-debate may turn out to produce valuable input for all parts involved to establish better interconnectivity. It could also serve

77 R. Benedikter, *What is Re-Globalization?*, in «New Global Studies», 15, 2021, pp. 73-84.

78 European Commission, *Shaping Europe's Digital Future: AI Act*, n.d., <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai>.

79 D.R. Maffioli, *AI regulation in Latin America: Balancing global trends with local realities*, in «IAAP», w.d., <https://iapp.org/news/a/ai-regulation-in-latin-america-balancing-global-trends-with-local-realities>.

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to strengthen the civic inspiration for *glocalized* models in the framework of a sound rule of law, as well as in the spirit of renewed international agreement-building of non-traditional diplomatic nature.

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