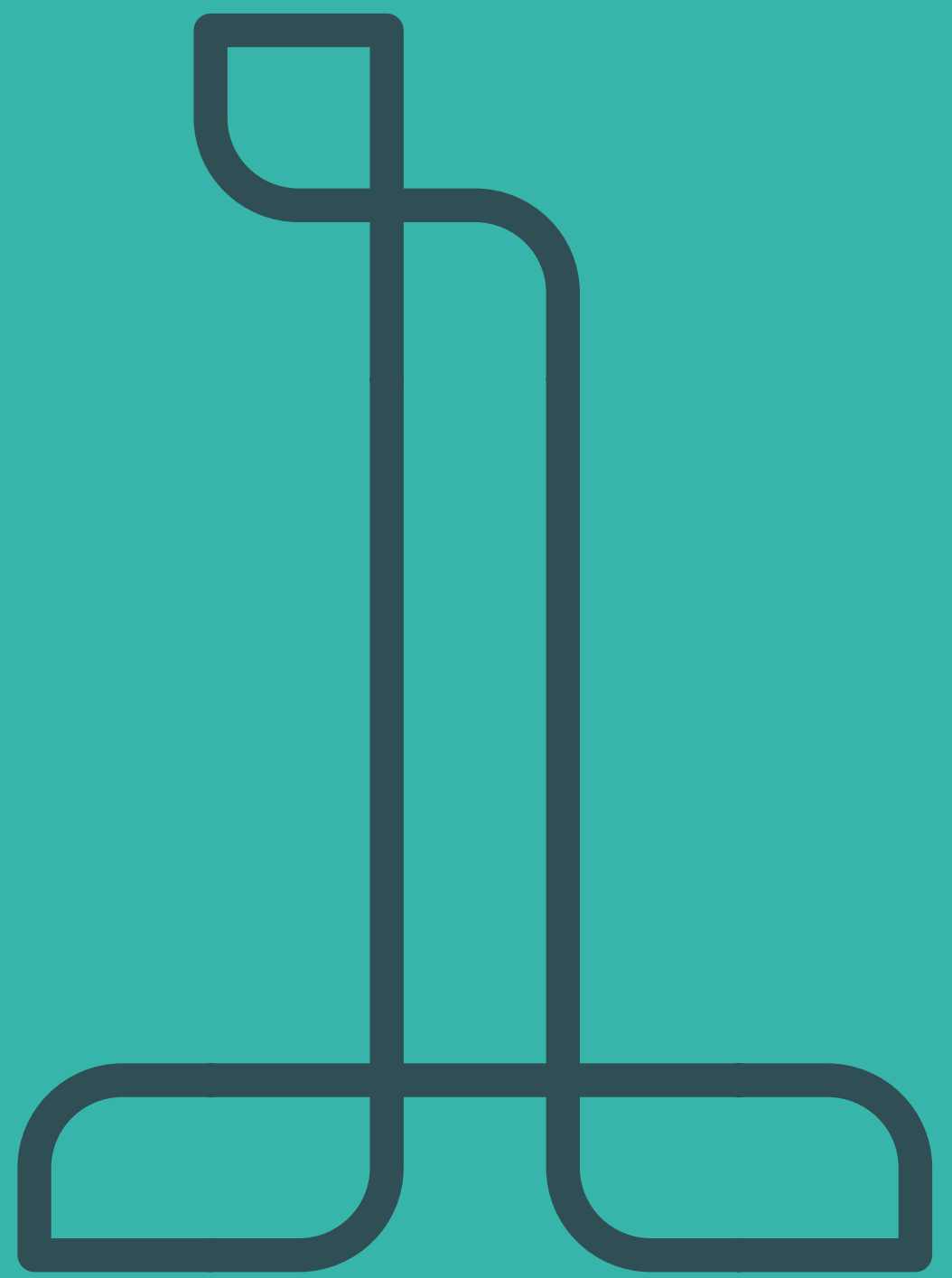
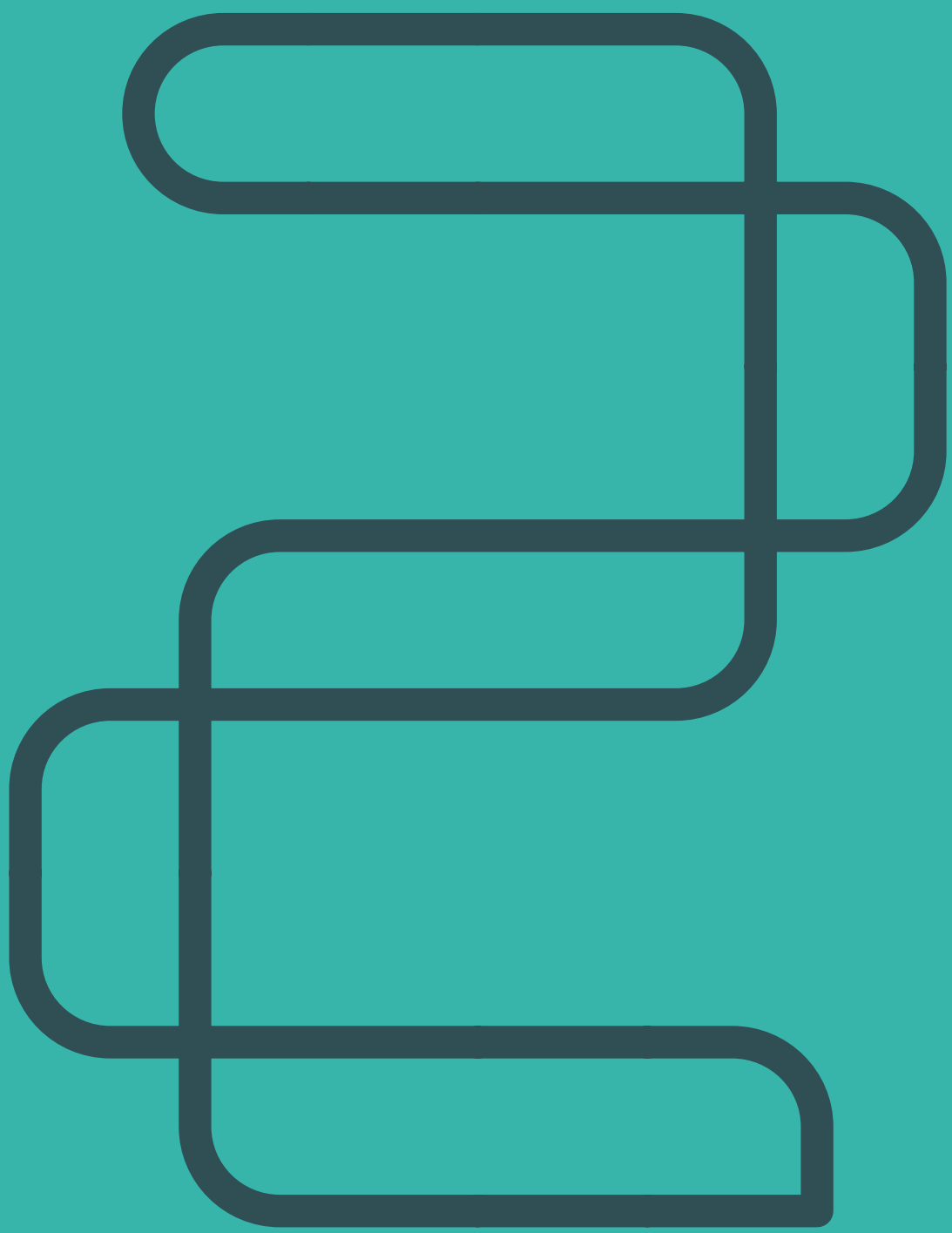
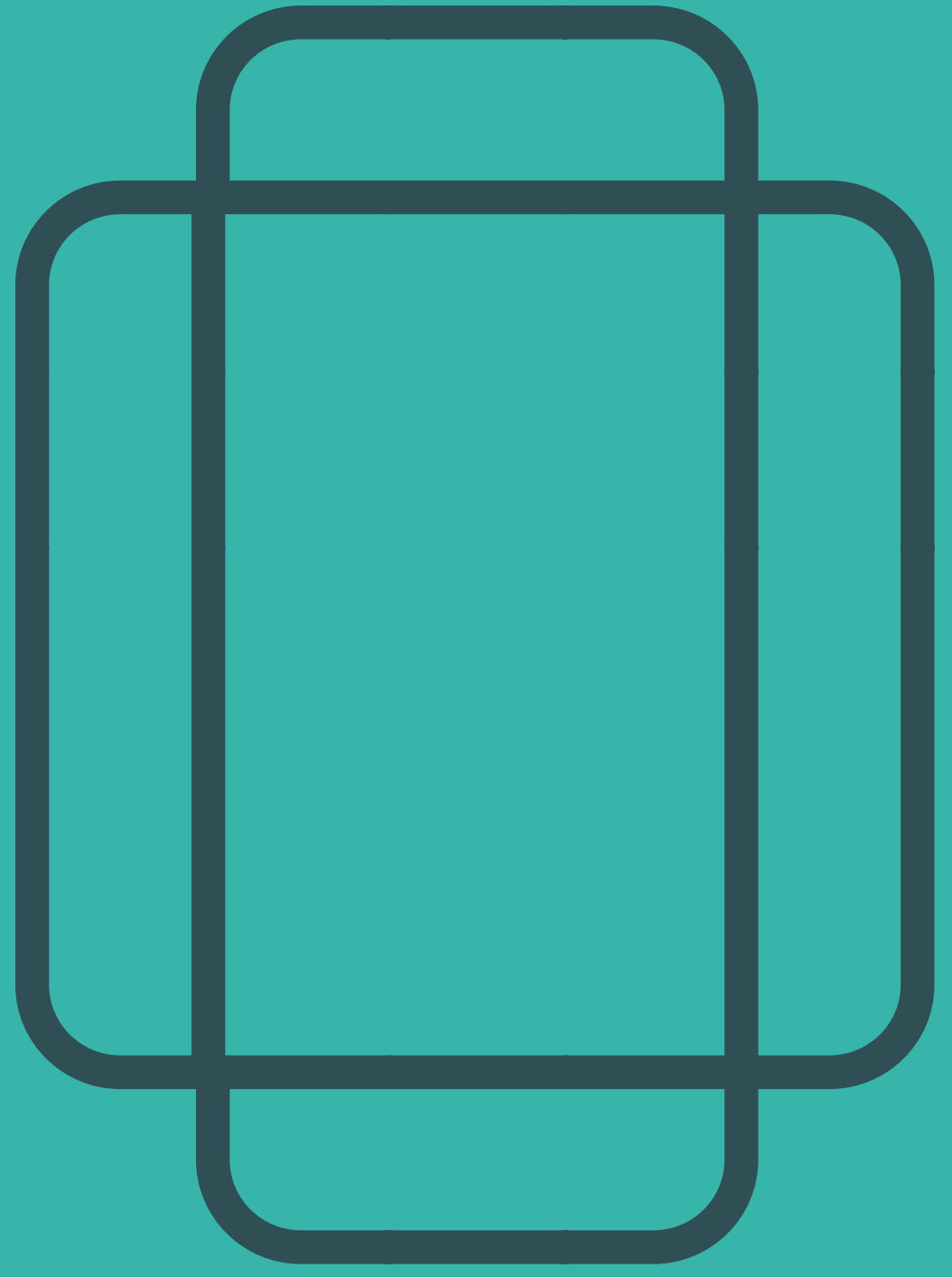
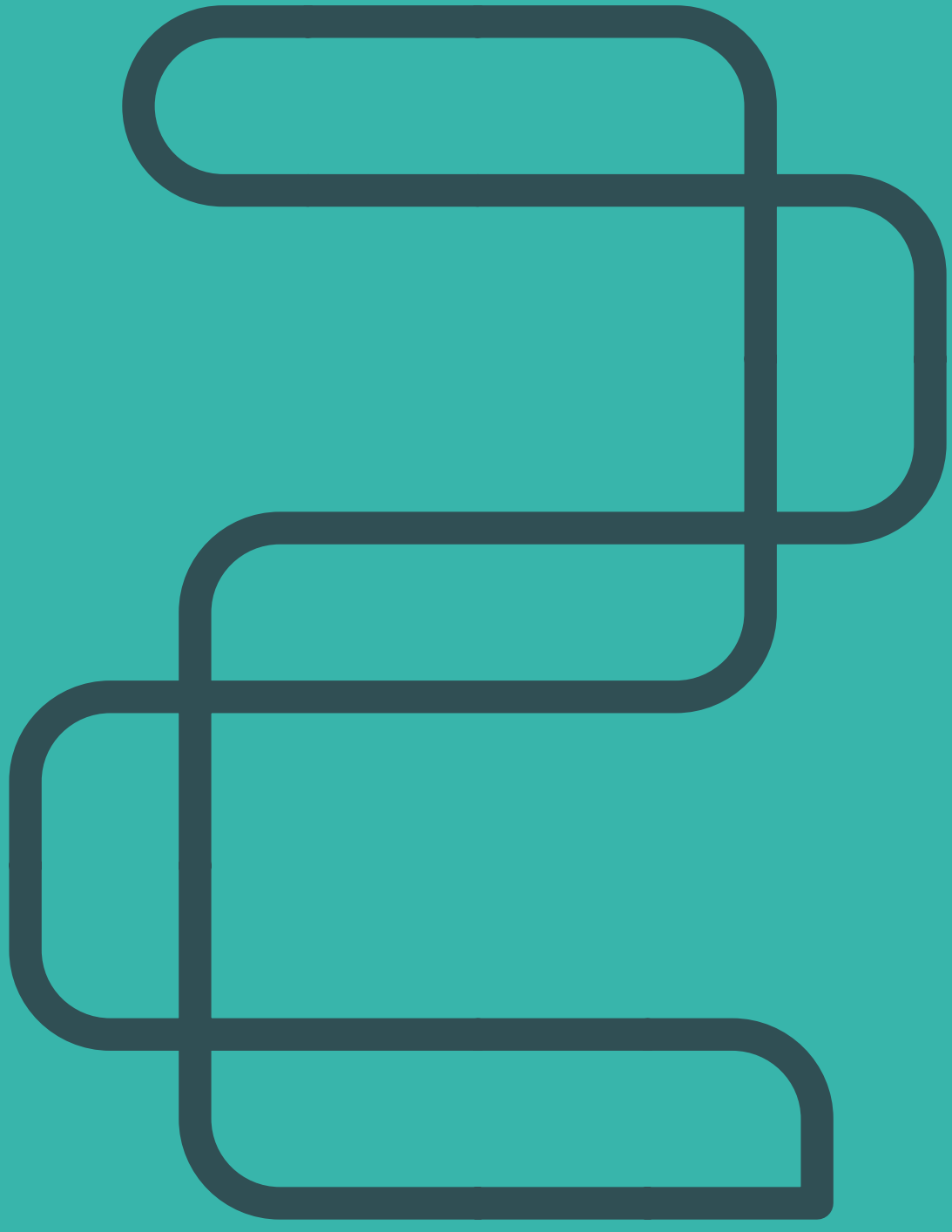


# Annual Report



DataPrivacyBR  
*Research*

# Credits

The Association was composed in 2021 by:

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Mariana Rielli and Marina Meira

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## **Board of consultants**

Carlos Alberto Afonso, Cecília Oliveira, Fernanda Bruno, Fernanda Campagnucci, Marília Monteiro, Renato Leite Monteiro and Virgílio Almeida

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# Summary

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# About us

An organization that transforms research into knowledge and a tool for advocacy actions.

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Data Privacy Brasil Research Association emerged in parallel with Data Privacy Brasil School. While the school was founded in 2018 as a training space, the research association was formalized in early 2020 to give vent to the research and advocacy activities of the group of professionals and collaborators that are part of Data Privacy Brasil as a whole.

The Association is a non-profit entity dedicated to study, research and advocacy actions on issues related to privacy, personal data protection and their intersections with other fundamental rights. In this second year of official existence, we have strengthened the mission of contributing to the construction of knowledge in these areas, as well as assisting regulators, judges, parliamentarians, and decision-makers in the public and private sectors.

We also reaffirm our commitment to the democratic debate by contributing to the construction of public and regulatory policies. If, on one hand, we look at the past and document the paths that have brought us to where we are, on the other hand, we embrace avant-garde scientific work - and action. Therefore, our research projects are inseparable from advocacy strategies and the construction of a strong and long-lasting culture of personal data protection.

Today we have a team with diversified qualifications distributed among directors, head of projects, project leaders, researchers, analysts, specialized consultants, journalists, and interns. In total, there are 20 professionals, in a composition that favors female participation. In addition, we are committed to being anti-racist and supporting diversity with the aim of diversifying our team even more in the coming years.

# Letter from the Directors

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2021 was a year of immense challenges: the most drastic period of the pandemic, with the continuity of social isolation and remote work. But it was also the year of vaccination, of hoping once again for better days and reunions. Even if shy and masked, many of us met for the first time and shared smiles.

At Data Privacy Brasil Research Association, it was also a year of challenging work, ambitious projects, and reorganization of our governance structure. Thanks to remote work, we stopped being an organization of academic-activists based in São Paulo and incorporated people from Porto Alegre, Brasília, Salvador, Belo Horizonte, Rio de Janeiro, and several other cities, from Brazilian South to the Northeast regions, into the team. The Brasil in our name improved its foundation base.

This expanded dimension brought us a new work dynamic. We created a decision-making structure in which the directors dialogue and decide together with the Heads of Projects, Mariana Rielli and Marina

Meira. It is through this quartet that we seek synergy between the projects and a relevant social impact.

We have also redefined our area of advocacy. We have reaffirmed our role in the Rights in Network Coalition, in the Civil Society Forum of the Iberian-American Network for the Protection of Personal Data and in the CSISAC, the civil society forum of the OECD. We decided to strengthen South-South ties and throughout the year we worked in partnership with activists from Latin America, Africa, and Asia. The result of this engagement was (i) the invitation made by Internews to organize a series of meetings with activists from the Global South on challenges to the effectiveness of personal data protection laws and (ii) a meeting between Brazilian and African activists about what are the former and future challenges and opportunities in the formation and consolidation of coalitions that bring together organizations in the struggle for digital rights.

Regarding research projects, we promoted launches that expanded our horizons of action. We'll highlight just a few of them.

We launched the **Dados Virais (“Viral Data”) platform**, a finalist in the **third edition of the Livre.jor award**. In an unprecedented research, we brought new data on technologies used by public authorities during the pandemic, through an interactive platform with open data.

We coordinated a special edition of **Quatro Cinco Um magazine on techno-authoritarianism** and launched a **mini-documentary with Brazilian activists**, presented



at RightsCon, the main digital rights event in the world. We also created a **journalism scholarship program with The Intercept Brasil**, which offered us stories about facial recognition in Salvador and vigilantism practices within the federal government.

At the Observatory, our first project, we launched a **policy paper on legitimate interest** and an **interactive online game**. We organized a series of multisectoral meetings on the most controversial points of the General Personal Data Protection Law, which resulted in an **open book**. And we also created a **platform** that brings quantitative and qualitative information on how the issue of privacy and data protection has been faced by the Brazilian Parliament. Through an API, in partnership with software company Siga-Lei, we mapped and classified more than 600 bills. It is important to note that this database is unrestricted access.

We trained dozens of Public Defenders, launched a **Guide on LGPD in the Offices of the Public Defenders** and created a **national network**, made up of Public Defenders in different parts of the country, oriented towards the protection of data of public services users offered by the Offices of the Public Defenders.

We have also made strides in new areas. We presented a **first-of-its-kind international study on data-centric mergers and acquisitions** and organized an **open course** on the topic for members of the National Authority for Personal Data and the Brazilian Antitrust Authority. We also launched a **pioneering project on digital civil identity**,

which opened the door to new dialogues with the Government.

We were also successful in our candidacy for the National Council for Data Protection, a multisectoral consultative body of the National Data Protection Authority. As a full member of civil society, our mandate is and will always be collective and dialogued so that the national data protection policy reflects the urgency for the full materialization of this fundamental right.

Our Association is made up of the passion of people who believe in public interest research and by funders committed to ethics in supporting research and social justice and democracy. All our publications are in open format and free to use.

We are grateful to these two human axes that make our NGO exist: the people who dedicate themselves daily to the projects, including our administrative team, and the funders who believe in our causes and allow our research to happen, helping Brazil to be a better place. It is from the local struggle that we can dialogue internationally.

May 2022 be a year of profound changes in the country, strengthening of democratic culture and the expansion of fundamental rights for all. Data protection is the basis of democracy and cannot be elitist. It must be, above all, an instrument of social justice.

*Bruno Bioni & Rafael Zanatta*

# The Year of Data

In 2021 the Data Privacy Brasil Research Association established its space in Brazil and in the world.

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Consolidation and expansion. These are the two words that best define the second year of existence of Data Privacy Brasil Research Association. After experiencing intense growth throughout 2020, we organized our headquarters, improved our management processes, and achieved even more significant capacity for political advocacy in Brazil and international articulation.

From a research point of view, we finished our first temporary projects and strengthened the base of permanent projects following two clear purposes. The first is to generate deep and meaningful results. The second is to democratize access to this specialized knowledge through a multiplicity of platforms for the presentation of our results, with the use of audiovisual formats, interactive websites, games, among other means capable of reaching and drawing the attention of a wide audience.

All this work was not done in isolation. In most of our projects, we work alongside partners from different fields to amplify the capacity for reflection and investigation, within a concept according to which the protection of personal data cannot be understood as an isolated area but permeated by diverse issues regarding social justice. For this reason, we are concerned with including within our focus current topics such as the use of recent technologies in the area of public security and in the fight against Covid-19, threats to fundamental rights and social movements, and the right to a commercial exploitation free childhood, to name a few examples.

On one hand, this movement strengthened our position as a reliable and capable voice to participate in the media discussion on topics dear to Brazil and the world. On the other hand, it allowed us to inform and qualify the public debate on these same topics. We did this in two ways: a) propositionally, as when we launched an extensive policy paper on legitimate interest, a concept that still needs to be better understood; and b) reactive to the national conjuncture, as in the case of Draft Bill 2630/2020, the Fake News Bill, in whose debate we actively participated to build a less invasive and vigilant legislative wording regarding privacy and data protection of Brazilian society.

In fact, the articulation in the Fake News Bill case is a good example of another aspect of the Association's work that was latent in 2021. In addition to our research projects, we have established firm and constant points of contact with Brazilian public policy makers at various levels. In particular, we

participated in all public consultations and hearings of the National Authority of Data Protection (ANPD) and were nominated, in the person of our executive director Bruno Bioni, for one of the vacancies of the National Council of Data Protection of the ANPD .

In addition, we have intensified our internationalization with partnerships with organizations from the Global South in an exchange process in which we have shared the Brazilian experience linked to the defense of digital rights and absorbed the experience of countries with a socioeconomic reality similar to ours. This includes our presence on the OECD's Civil Society Advisory Council on Digital Economy Issues (CISAC), our entry into the Iberian-American Data Protection Network and conducting workshops with the African Internet Rights Alliance (AIRA), among others.

Finally, we maintained our commitment to encouraging good practices and establishing data protection as a new pillar within a corporate and governmental social responsibility agenda. In this sense, one of our highlights was the launch of the Article 50 Award, which acknowledged great initiatives in the field and honored important actors linked to the defense of data protection and privacy as a whole.

2021 was a busy year. And we want to do more.

# 2021 in figures

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789

**mentions** in Brazilian and international media

96

participations in events in **Brazil** and **worldwide**

53

**publications**, including e-books, academic and opinion articles, etc

42

**podcast** episodes released

28

online **debates** held, between lives and webinars

08

participations in **hearings** in the Executive and Legislative Branches

# ***Amicus curiae***

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At the beginning of 2021, Data Privacy Brasil Research Association joined the Direct Action of Unconstitutionality 6649 as *amicus curiae*, which contests the creation of the Cadastro Base do Cidadão (“Citizen Base Registry”) by the Brazilian government, as well as the flexibility of sharing and interoperability of databases between distinct agencies of the government, ignoring the need for informational separation of powers.

In addition to contributing to a historical review of the centralized databases issue and questioning the decree contested in the action in light of the General Personal Data Protection Law, participation as *amicus curiae* was a milestone in the Association’s strategic litigation capacity. This underscores our objective of not only producing knowledge about the topics we work with, but also employing this knowledge in concrete actions that benefit society.

# Article 50 Award

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A joint initiative by Data Privacy Brasil School and Data Privacy Brasil Research Association, the Article 50 Award has its purpose in its name: it is a reference to the LGPD article that addresses the need to establish good data protection practices as a governmental and corporate culture.

From our point of view, this translates into not only investigating, monitoring, and denouncing problematic and illegal practices within our field of action, but also praising and highlighting the opposite of this, that is, noteworthy initiatives that serve as an example for other organizations and/or professionals in establishing adequate and innovative policies for the use of personal data.

For the award, we created an external multisectoral judging committee that was responsible for choosing the winners in three categories: best practices in data protection in the public sector, best practices in data protection in the private and third sectors, and personality of the year at data protection defense.



# Projects

During 2021, we continued or started a total of twelve research projects, divided into three thematic axes.

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## Asymmetries and Power

Projects aimed at investigating the impact of recent technologies on the threat to fundamental rights. We seek to understand how the centralization of databases and the use of information as a strategy of social control, for example, can result in scenarios of information asymmetries in a society already marked by structural inequalities.



## Governance and Regulation

Projects in which the dynamics and institutional arrangements of data protection and privacy are the main focus. This means closely monitoring the performance of the entities responsible for regulating these fields in Brazil and worldwide, as well as the role of other governmental, non-governmental and private sector organizations in data governance.



## Digital Platforms and Markets

Researches whose objectives are related to understanding the relationship between the use of personal data on digital platforms and markets and our society today. This encompasses regulatory tensions with various fields of law, such as electoral, competition, consumer and children and adolescents.



## Accountability and digital civil identity

🕒 June 2021 – June 2022

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In mid 2021, we turned our attention to an urgent topic in the debate on personal data management in the governmental sphere: the digital civil identity. Discussed in Brazil since the 1990s, digital identity models have gained more prominence in the last biennium. And they became a reason for controversy, as when the Ministry of Economy offered a free tasting of the databases linked to the National Civil Identification and the gov.br system for Brazilian banks.

Within this project, we mapped digital civil identity initiatives discussed throughout Brazil and put on the agenda the necessary reservations so that they are implemented in a way that respects basic principles of protection of personal data. In this sense, we were pioneers in the field within Brazil and led an articulation that is already expanding beyond the borders.

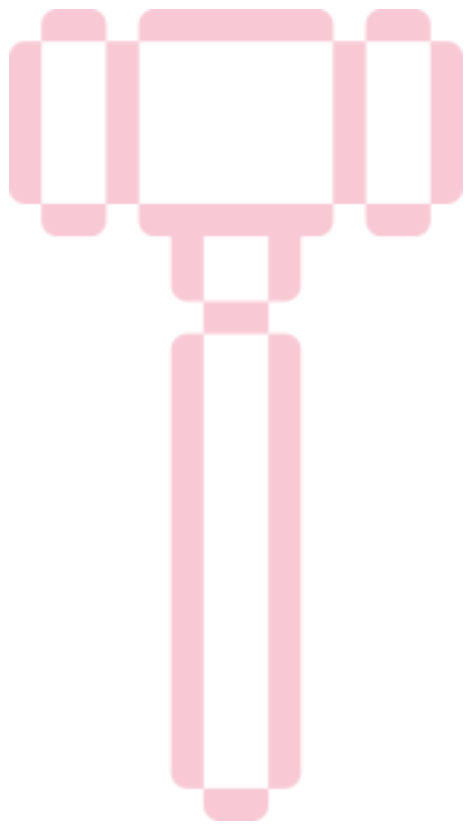
This allowed us to organize workshops with a considerable number of public agents responsible for the implementation and/or enforcement of digital civil identities. We also presented the partial results of the research during a conference at The Alan Turing Institute in England.

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**HIGHLIGHT: Workshop on accountability and impact assessments for digital IDs**

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In September, we organized the “workshop on data protection impact assessments and digital civil identity,” a closed meeting for civil servants of the National Data Protection Authority, the Digital Government Secretariat of the Brazilian Ministry of Economy, and the Brazilian Superior Electoral Court - main public actors linked to this discussion. The workshop focused on considering the data protection impact assessment as a valuable tool to make digital identity policies fairer and more transparent. The meeting was conducted by foreign experts and included reports of implementation of similar policies in Peru and Ghana.



## Antitrust and regulation in the digital economy

🕒 July 2020 – December 2021

---

This project was created from a perception that antitrust regulation in Brazil still does not give due attention to advances in digital technology and the importance of access to large personal data banks. As big techs and startups go through constant acquisitions and mergers, the analysis of the informational power resulting from these deals cannot be left aside as if it were not as important as the market share achieved, for example.

To bring this topic to the fore, we invested in building a richer public debate on competition and personal data. We took the topic to the Brazilian Internet Forum, followed discussions between the Brazilian Antitrust Authority and the National Data Protection Authority, helped the Brazilian Institute for Consumer Protection (Idec) in its action in the case

of the acquisition of FitBit by Google, among other initiatives.

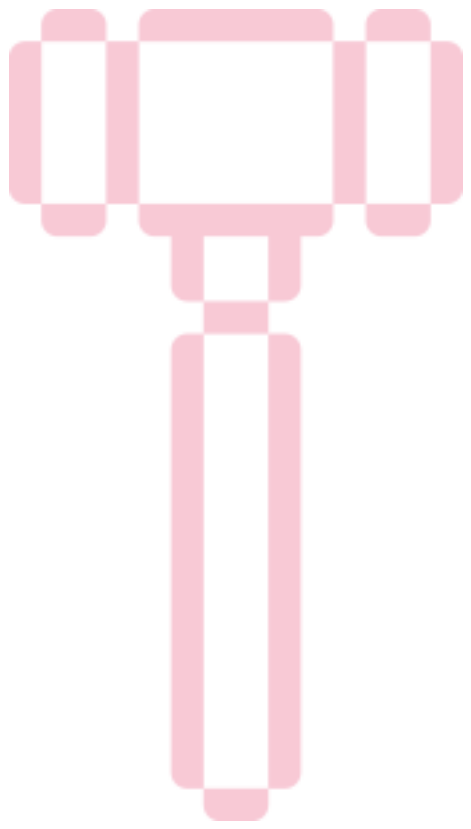
Alongside Data Privacy Brasil School, we also created an open course on the topic for 40 students, including civil servants, professionals from the private sector and representatives of civil society. Internationally, we established a study group on the Digital Markets Act, with the participation of activists and intellectuals from organizations such as Derechos Digitales, BEUC and the European Commission.

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**HIGHLIGHT:** Antitrust diagnostics and personal data

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Written by University of Chicago researcher Lucas Griebeler da Motta, “A Multijurisdictional Analysis Of Data-Driven Mergers: Current Assessment And Public Policy Proposals For Brazil” provides a detailed overview of the relationship between competition law and personal data in the country, as well as discussions of famous international cases in which access to personal data by one or more companies resulted in antitrust lawsuits.



## China: technology and society

🕒 March 2021 – June 2021

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Data Privacy Brasil Research Association was the regional partner of Doublethink Lab (DTL), an organization based in Taiwan, in this project that became known as China Index. Through standardized questionnaires, the objective of the research was to build an interactive global map on China's influence in different countries within nine areas: academia, economics, legal, media, military, domestic policy, foreign policy, society, and technology.

Interviews were conducted in 35 countries in total, with the help of Civil IDEA, Code for Africa, Forum on ADB, Fundación Andrés Bello, and National Bureau of Asian Research, in addition to Data Privacy Brasil itself and the DTL. For our part, we were responsible for coordinating activities in Brazil, Argentina, Bolivia, Paraguay, and Uruguay.

As a pilot project, this was a challenging initiative for us, but it proved to be an opportunity to establish partnerships and become part of an international network of researchers and organizations focused on the interface between China and technology.

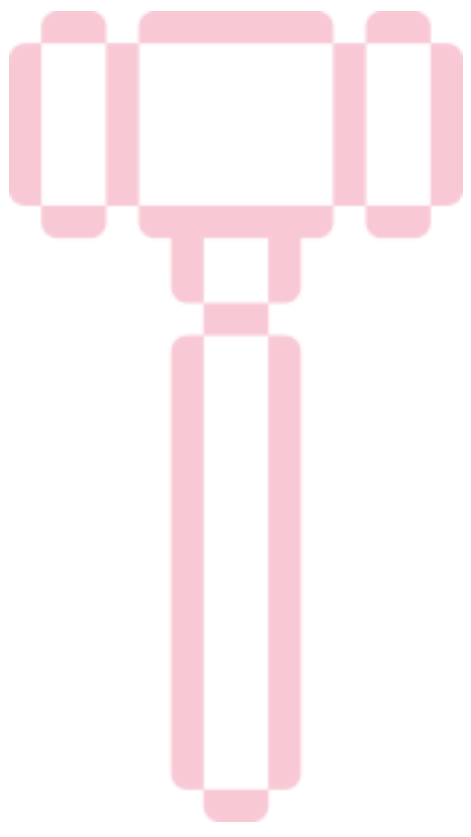
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### **HIGHLIGHT: South American view**

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Our participation in this global research allowed us to insert perspectives from the South American continent within indicators that still privilege relations between Europe, Asia, and China. As part of our strategy to strengthen articulation between entities from the Global South, this was a key step towards including new voices in discussions about technology and politics that affect the world as a whole.





## Data Privacy Learning Series

🕒 September 2021 – May 2021

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Invited by the US NGO Internews, we began to organize a series of workshops on advocacy strategies for personal data protection. These workshops target a group of partner organizations from South America and Africa: CARD Ethiopia (Ethiopia), Coding Rights (Brazil), FCD (Ecuador), InternetBolivia (Bolivia), KICTANet (Kenya) and Paradigm Initiative (Nigeria).

Within this project, the objective is to develop innovative methodologies that allow the debates to go beyond abstract and general discussions on the chosen topics and move on to concrete issues faced by this group of organizations, whether common to all entities or particular to a given country. The idea is to use a specific challenge as the starting point of each workshop - such as exceptions to the scope of application of data protection laws or lack of independence of authorities responsible for enforcing these laws.

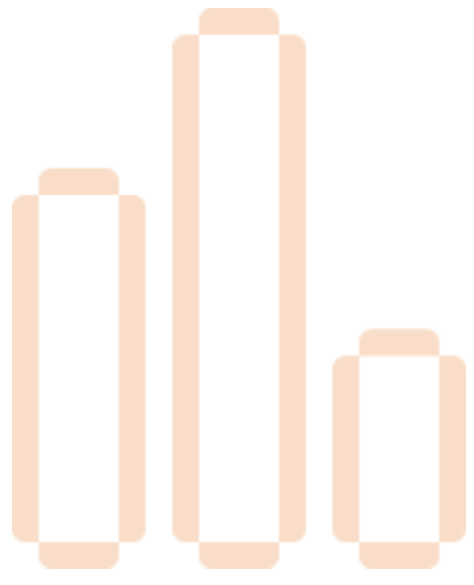
The activities of this project started at the end of 2021, in a context of fatigue after almost two years in the pandemic. Still, we saw significant engagement from partner institutions. Finally, this is an essential step in the internationalization process of Data Privacy Brasil Research Association, as we assume a leadership and articulation position within the Global South.

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### **HIGHLIGHT:** First encounters

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By the end of 2021, two workshops were organized. The first dealt with advocacy and communication strategies in general within a context of activism in the protection of personal data and as a result of the discussions, we published the report “Advocacy and Communications Strategies: Lessons from Data Privacy Brasil Learning Series.” The second workshop focused on exceptions to data protection laws and how to deal with them.



## Defending Brazil from techno-authoritarianism

🕒 September 2020 – September 2021

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Thought as a space for research, discussion, litigation, and resistance against technological changes capable of leveraging undemocratic practices, this project had a busy year in 2021. In one of its axes of action, the academic research team carried out a study that structured the legal arguments used in Brazilian Federal Supreme Court (STF) in emblematic cases that summarized the discussion on techno-authoritarianism, such as the one that contested the sharing of data between Brazilian Intelligence Agency (ABIN) and Brazilian Traffic Department (Denatran) and the creation of the Citizen Base Register.

From the media point of view, we took the topic for public discussion through the production of a mini documentary, an episode of the podcast Dadocracia awarded by the Goethe Institute and a special edition of the magazine Quatro Cinco Um. In addition, the project's work was the subject of articles in Folha de São Paulo, MIT Technology Review and The Intercept Brasil, among others, which helped to disseminate and strengthen the concept of techno-

authoritarianism.

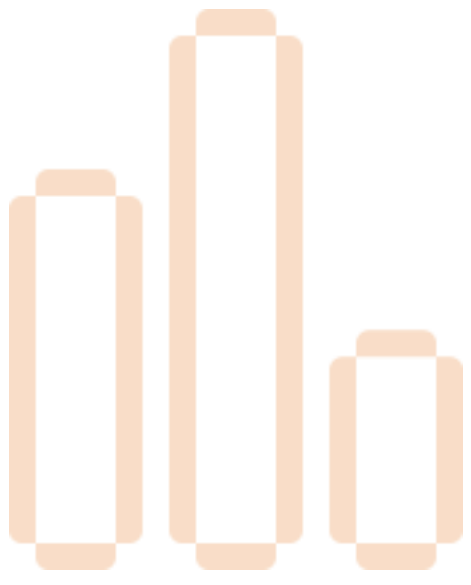
Finally, the litigation team worked incisively on an amicus curiae filed in Direct Action of Unconstitutionality 6649, as well as shared this experience in a strategic litigation workshop on technology and authoritarianism, with 50 participants. The sum of this work resulted in the construction of an extensive network of contacts and articulation of resistance in the field, which also included the creation of study groups and increased in-depth debate on related issues.

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### **HIGHLIGHT:** Global articulation

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In June, Data Privacy Brasil Research Association organized a panel on techno-authoritarianism at RightsCon, one of the world's largest conferences on law and technology. In addition to exposing what we understand as techno-authoritarianism in Brazil, the session was also a great opportunity to discuss this phenomenon from different perspectives within the Global South. During RightsCon we also presented the mini-documentary "What is techno-authoritarianism?"



## Expanding the role of public defenders in protecting personal data in Brazil

🕒 April 2020 – April 2022

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Since 2020, we have been closely monitoring how Brazilian Offices of the Public Defenders are adapting to the new needs imposed by the General Personal Data Protection Law (LGPD). On one hand, the activity with the vulnerable public from the economic and social point of view imposes greater attention on how the Offices of the Public Defenders institutionally deal with the information of these people. On the other hand, it is necessary for public defenders to be equipped to act in the defense of the personal data of this same slice of the population.

To work on both fronts, the project has the help of Data Privacy Brasil School team, teaching training courses on personal data protection for 60 public defenders across the country. In addition, we closely monitor LGPD compliance actions in the Offices of the Public Defenders in Rio de Janeiro and São Paulo.

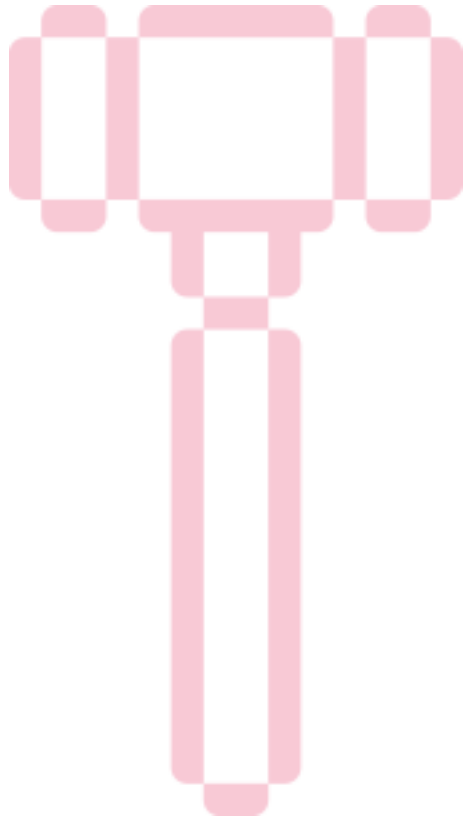
Through these actions, we encouraged greater engagement of Offices of the Public Defenders in Brazil in the discussion of issues related to data protection, with the internalization of data governance practices in their internal processes, for example. Along the same line, guidelines intrinsic to the theme, such as the use of photographic recognition in public security, began to be more closely monitored by public defenders.

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### **HIGHLIGHT:** Data Protection Guide

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In June, we published the “First steps guide for adequating Offices of the Public Defenders to the LGPD.” The guide is a detailed document with best practices in data protection, built from the specifics of the institution. It was developed from the cooperation of our Association with a group of public defenders and comprises both the core activity of these professionals, that is, offering access to justice, and the means used to do so in accordance with the General Personal Data Protection Law.



## International forums and networks

 Permanent

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This project was consolidated in 2021 as a starting point for a continuous effort to enter international discussion spaces, as part of a larger strategy to strengthen our regional and global operations. In the first year of work, the project team worked intensively in civil society forums, as well as in establishing bridges and partnerships with organizations from different countries.

In this way, we participate in the OECD's Civil Society Advisory Council for Digital Economy Issues (CISAC), in the Civil Society Forum for Collaboration with Data Protection Authorities of the Iberian-American Data Protection Network, and in events such as the Internet Governance Forum (IGF), RightsCon and the OECD Observatory of Civic Space.

The result of this first year was a consolidated international projection of Data Privacy Brasil Research Association. Through active contribution in multilateral spaces of public policy formation, we have become an important voice alongside other NGOs from the Global South.

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## **HIGHLIGHT:** International placements

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Through the International Forums and Networks project, we have positioned ourselves in a series of international discussions on topics related to our agenda. These include, among others, a declaration against digital gender violence by the Iberian-American Data Protection Network and seven contributions to different OECD documents. We also participated in a public consultation by the same OECD on its set of definitions and best practices on AI, for which we received a prominent acknowledgment in the final report.





## New frontiers of digital law

🕒 September 2020 – December 2021

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Emerged in the context of the beginning of the Covid-19 pandemic, this project unfolded on three fronts that opened up the complexity of the legal discussion about the use of personal data and how these uses can become a risk to fundamental freedoms. The first of these fronts was precisely an extensive analysis of applications and technologies used in the fight against the new coronavirus.

In addition to the pandemic, the other fronts are related to public security, a topic dear to Data Privacy Brasil Research Association. On one hand, we promote discussions on the normative structure of a general law on the use of personal data in the criminal field. On the other hand, we delved into the use of photographic recognition by investigative and non-investigative police, identified flaws in the transparency and lifecycle management of the data used by them and showed how this arrangement results in blatant injustices.

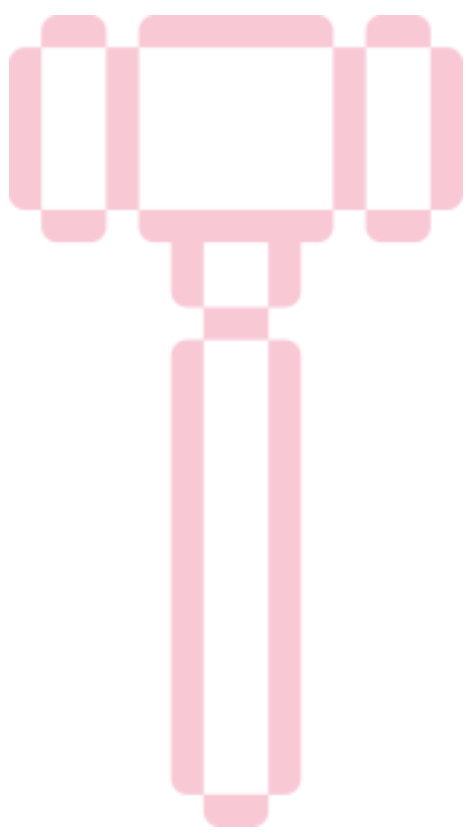
In parallel, the project team worked on a series of products aimed at non-specialized audiences, such as video reports and infographics. Finally, we took our concerns to the political sphere of discussion, with contributions to the National Council of Justice and the only critical position on Brazil's unrestricted adherence to the Budapest Convention on cybercrimes during a public hearing at the National Congress.

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### **HIGHLIGHT:** Data and pandemic

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In July, research on how apps and technologies to combat Covid-19 used personal data from Brazilians was materialized on the “Os Dados Virais” platform. With interactive infographics, a detailed report and another with case analyses, this work identified 253 episodes, distributed across 24 Brazilian states, of the use of these technologies. In the analyses, problems identified such as misuse of data, lack of transparency and even inefficiency, among others, were detailed.



## Privacy and Data Protection Observatory

 Permanent

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This is a permanent project, born together with the Association, which matured during 2021. After mapping the history of the General Personal Data Protection Law (LGPD) and establishing a permanent monitoring platform on privacy and data protection in Brazil and worldwide, the Observatory expanded its actions both in research content and in the way it is presented.

In practice, this has translated into an extensive survey of how the Brazilian Legislative has considered privacy and data protection in the last four decades, the result of which was presented by a series of interactive infographics. Along the same lines, an interactive game was produced to facilitate the assimilation of the complex concept of legitimate interest, and seminars on key data protection topics were also organized.

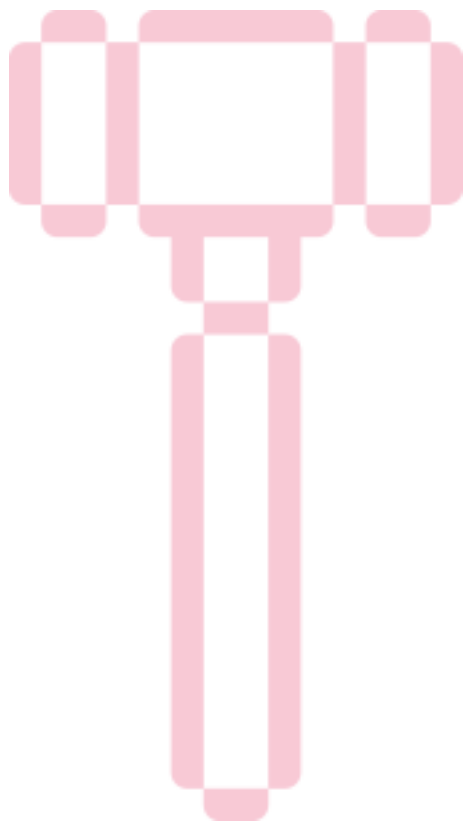
Finally, the Observatory team worked side by side with other researchers from the Data Privacy Brasil Research Association and teachers from the Data Privacy Brasil School in a series of regulatory and litigation actions, with contributions to the National Data Protection Authority and technical notes on bills, such as Draft Bill 2630/2020, known as the Fake News Bill.

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### **HIGHLIGHT:** Legislative history of privacy

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For more than a year, the Observatory team delved into the Brazilian legislative history regarding the terms “privacy” and “data protection.” The result is in the report “Privacy and Data Protection in the Brazilian National Congress,” which analyzes the content of 574 bills, constitution amendment proposals, and provisional measures, among others, to understand how the understanding of these terms has changed in the last 40 years.



## The ten years of the CGI.br Privacy and Personal Data Protection Seminar

🕒 April 2020 – December 2022

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In its first ten editions, between 2010 and 2019, the Seminar on Protection of Privacy and Personal Data of the Brazilian Internet Steering Committee (CGI.br) was fertile ground for understanding, discussing, and creating an agenda for privacy and data protection in Brazil. In fact, the Seminar was an important space for the approval of both the Civil Rights Framework for the Internet and the General Personal Data Protection Law (LGPD).

After extensively analyzing the content and recordings of these ten Seminars, it was possible to divide the event into two temporal contexts: conceptualization and introduction to privacy and data protection issues until 2014; and the deepening of practical debates focused on the Brazilian scenario from then on.

Starting in April 2021, in the second phase of our research, we conducted interviews with 22 people from different sectors who somehow participated in or were influenced by these first ten years of the Seminar. The interviews were conducted from three perspectives: historical, thematic and audience. A rich record of a decade of discussions in which the country started to legislate and became a world reference in digital rights.

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### **HIGHLIGHT:** [Article in PoliTICs magazine](#)

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In October, we published the article “Planting seeds: the role of the CGI.br Seminar in building a privacy and personal data protection agenda in Brazil (2010-2019)” in PoliTICs magazine. The article details the methodology used in the project and the highlights of the period analyzed: National Data Protection Authority and National Council of Data Protection; co-regulation; multisectoral; and encryption.



## Protection of personal data and childhood

 Permanent

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As the first generations of children and teens born into a platformed digital environment grow, there is still little clarity about the current and future impact of the invasive data collection practices that are inherent in current platform business models. Therefore, we use this project as a starting point to investigate and discuss data protection and privacy in the context of childhood.

In 2021, we consolidated the monitoring of the debate and regulation of diverse topics at the intersection between childhood and data protection. The practical result of this was the publication of the Childhood and Privacy Bulletin (BIP), with an analysis of the main events related to this universe mapped over a period of eight months, starting in August 2020.

The Bulletin was launched in October, the month when the Children's Day is celebrated in Brazil. In the meantime, we also promoted a series of initiatives to leverage the childhood data protection agenda, such as podcast episodes, lives, webinars, and articles. This set of contents contributes to giving impetus to discussions on this topic based on Brazilian particularities.

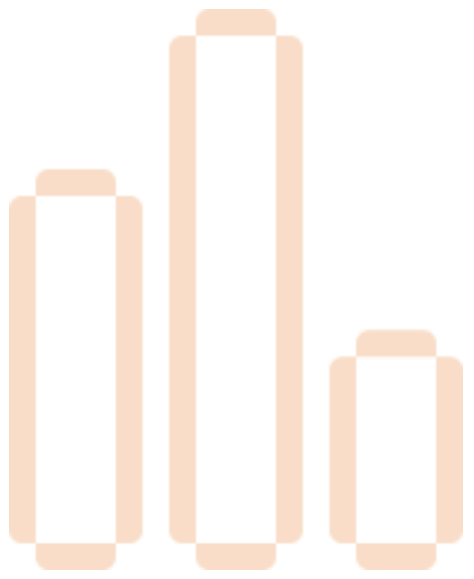
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## **HIGHLIGHT: BIP**

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Produced in partnership with Instituto Alana between August 2020 and March 2021, the Childhood and Privacy Bulletin gathered the most relevant facts about childhood and data protection worldwide, in the legislative, academic, and civil society fields. In October, all the material was consolidated in the report “The protection of children and adolescents’ data: an institutional radiography through the Childhood and Privacy Bulletin,” which brings the legal progress, and the most important discussions of the period.





## Border Surveillance: Making CIOF Visible to All Citizens

🕒 July 2021 – January 2022

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On the triple border between Argentina, Brazil and Paraguay, the Integrated Border Operations Center (CIOF) is a mystery. In this project, in which we work alongside the Paraguayan NGO TEDIC, we seek to understand and reveal how the CIOF works, coordinated by the Secretariat for Integrated Operations of the Brazilian Ministry of Justice and Public Security.

Created with the aim of fighting organized crime, the CIOF condenses and shares information from agencies linked to public security, such as the Brazilian Intelligence Agency (Abin), Federal Highway Patrol, Investigative and Non-Investigative Polices, as well as the Secretariat for Integrated Operations. This Integrated Center model was popularized in the United States and has become common in Brazil.

Through documental research, requests based on the Freedom of Information Act (FOIA) and interviews, we confirmed suspicions of low transparency, overlapping data between the fields of intelligence and public security without due legal support, and delegation of sensitive data collection for private entities.

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## **HIGHLIGHT:** Final report

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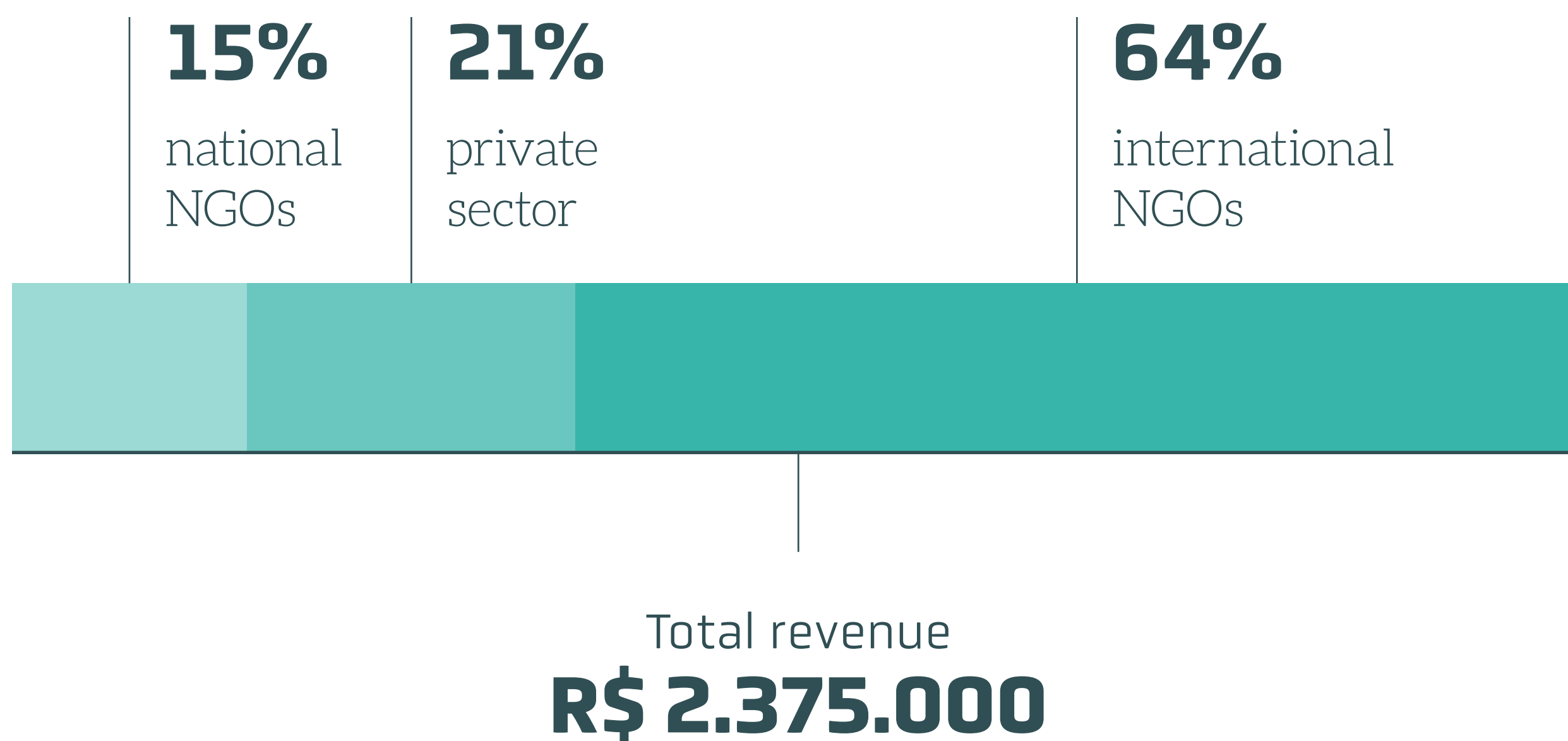
In February 2022, we published in partnership with TEDIC “The Invisible Integration - A study on the Integrated Center for Border Operations”, the final report of the project, which materialized the research conducted in 2021. Available in Portuguese, Spanish and English, the report details the research findings, as well as an analysis of the future of the Integrated Centers and how they are still lacking in terms of privacy and data protection.

# Funding

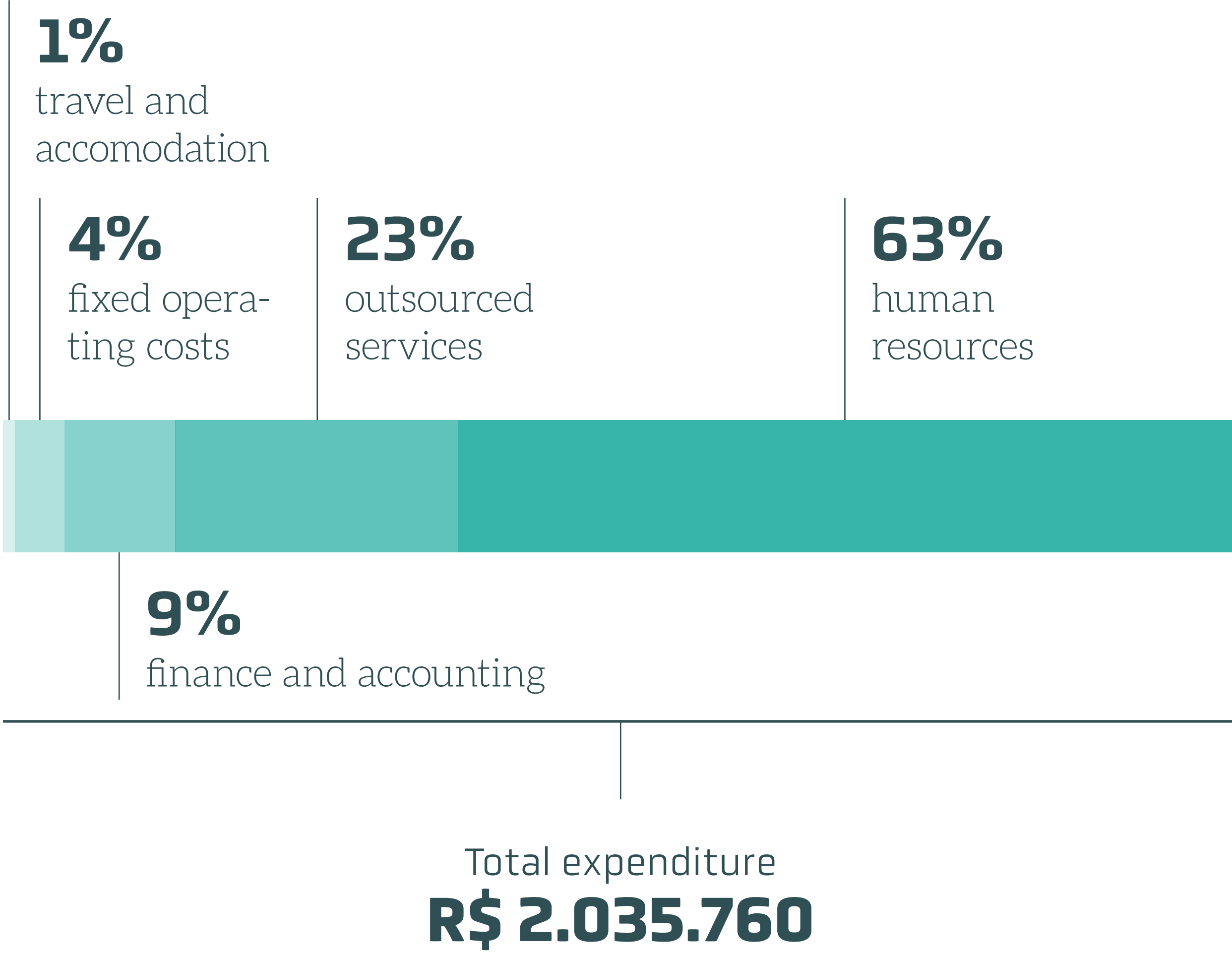
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In 2021, we worked with a slightly reduced budget compared to the previous year: BRL 2.37 million in comparison with BRL 2.92 million. This did not, however, prevent us from distributing investments in a greater volume of projects, as well as expanding our team, which increased from 20 to 31 collaborators.

We raised funds in three ways: from international NGOs and philanthropic organizations, national NGOs and philanthropic organizations, and the private sector.



Our accelerated expansion process had its cost. In terms of operating expenses, we exceeded from BRL 1.24 million in 2020 to BRL 2.03 million, distributed in operating expenses, personnel, among others.



# Governance

Strategies and policies to ensure transparency and independence in our work routine.

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The Data Privacy Brasil Research Association follows the same principles that guided the creation of the Data Privacy Brasil School. However, given the intrinsic differences in the activities conducted by both organizations, we have established governance structures and management policies to reaffirm our commitment to acting independently, responsibly, and transparently, as well as responding to and investigating demands, criticisms, and complaints about our performance.

The Association's executive directors are Rafael Zanatta and Bruno Bioni, co-founder of the School. On the other hand, Renato Leite Monteiro, second co-founder of the School, is part of the Association's Advisory Board. This Advisory Board is composed of seven members representing academia, civil society and the private sector and is responsible for overseeing the health and strategic planning carried out by the Executive Board every six months.

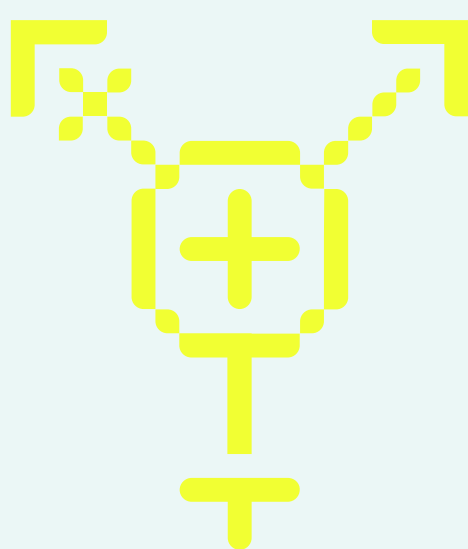
From a financial point of view, in 2021 we counted on the support of Triven, a company that provides technical advice in a model known as “CFO as a Service”. Also in the NGO’s financial area, we have a Group of Independent Reviewers, responsible for previously analyzing donations received that exceeded BRL 200,000 (two hundred thousand Brazilian reais), to ensure that this funding would not interfere with independence or ethical commitment of our Association. This independent review work is paid and done in pairs. When there are disagreements, we seek a third opinion. Two negative evaluations force the Executive Board to reject the donation.

This entire structure works within the principles established in three policies that guide and serve as an ethical foundation for the activities of Data Privacy Brasil Research Association: Ethical and Transparent Funding; Anti-discrimination and Anti-harassment; and Conflict-of-Interest. It is important to emphasize that both governance policies and practices cannot remain static, but rather evolve over time and our expansion. Therefore, we have made a commitment to constantly develop and improve all our internal practices.



## **Ethical and Transparent Financing Policy**

The source of funding is a crucial element for a non-profit organization. Therefore, in 2020, we designed a policy with clear criteria to assess the pertinence or not of receiving funds, whether public, private or from philanthropic sources. The crucial point of these rules is to guarantee our autonomy and independence in the development of research and other activities. In 2021, we updated the policy, bringing it into line with the rules set out in our Conflict-of-Interest Policy.



## **Anti-Discrimination and Anti-Harassment Policy**

We adopt an unrestricted commitment to all our collaborators. However, we recognize that no type of organization is free from structural oppressions that reflect in the work environment. And that is why we have established formal and informal mechanisms for communicating and addressing any case of discrimination or harassment within Data Privacy Brasil Research Association. This policy, which has been in place since 2020, also establishes gradual sanctions to be applied according to the severity of the case.



## Conflict-of-Interest Policy

We work with a vast team of short-term and long-term collaborators, so it became necessary to create procedures capable of harmonizing the activities carried out by them in different projects within the Association and even in other professional or research endeavors. To this end, in 2021 we established the Conflict-of-Interest Policy and created an internal committee to evaluate episodes in which there may be conflicts between the interests of collaborators and Data Privacy Brasil Research Association.





Data Privacy Brasil Research Association

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