INTERNATIONAL CONFERENCE
'Empowering the Digital Global South - The Impact of EU's Regulations on Platform, AI and Data Governance: the Case of Brazil'

Organised by the Research Group on Law, Science, Technology & Society (LSTS) of the Vrije Universiteit Brussel (VUB), with the collaboration of the Center of Technology and Society (CTS) of the Fundação Getulio Vargas (FGV) Law School

Date:	**Tuesday 21 May 2024, 9:30-16:40**
Hybrid event:	**On-site in Tour & Taxis, 'Produits Dangereux' - Avenue du Port / Havenlaan 86c B-1000 Brussels**
	Online

The Brussels Effect encapsulates the European Union's (EU) influence in setting global standards, particularly within the digital sector. This regulatory sway prompts a fundamental question: What is its impact on the Global South, where digital development is a catalyst for economic growth and a cornerstone for achieving social objectives?

This conference delves into Brazil's experience. As a prominent figure in the Global South, Brazil seems to have embraced the EU's approach to digital governance, focusing on protecting human rights and ensuring accountability among technology companies.

Across three panels, the event will scrutinise the benefits of integrating the EU's approach into Brazil's strategies for regulating digital platforms, artificial intelligence (AI) governance and personal data protection. These discussions aim to highlight the broader implications for other Global South countries and regions, promoting a debate that is not only inclusive but also reflective of domestic multifaceted dynamics.

Programme	
09:30 - 10:10	Registration and welcome
10:10 - 10:30	Opening remarks and welcome speech: Prof. Dr. Gloria González Fuster, Director of the LSTS Research Group at VUB.
10:30 - 12:00	Module 1. *The Ripple Effect of the EU AI Act on Global AI Governance: A Dive into Brazil's AI Regulatory Path*
12:00 - 13:10	Lunch
13:10 - 14:40	Module 2. *The Meta-regulatory Turn in Platform Governance: is Brazil Following in the EU's footsteps?*
14:40 - 15:00	Coffee break
15:00 - 16:20	Module 3: *Brazil's Role in Global Data Flows Governance: Opportunities for Data Protection Convergence*
16:20 - 16:40	Wrap-up and concluding remarks

Please register at the LSTS VUB website: https://lsts.research.vub.be

For more information and questions: ptrigokr@vub.be

10:30 - 12:00. Panel 1:

The Ripple Effect of the EU AI Act on Global AI Governance: A Dive into Brazil's AI Regulatory Path

Description:

Brazil has been actively shaping its AI regulatory landscape. The Brazilian Artificial Intelligence Strategy, launched in 2021, marked a proactive step in this direction. A significant milestone was reached in September 2021 when the Chamber of Deputies passed the Brazilian Artificial Intelligence Bill (PL 21/2020). This bill outlines the foundational principles, duties, and guidelines for AI development and use within Brazil.

After the Chamber had approved the bill, it was moved to the Federal Senate for further scrutiny, where it was evaluated alongside two other AI-centric proposals (PL 5,051/2019 and PL 872/2021). In February 2022, a dedicated committee of legal experts was tasked with creating a unified proposal that combined elements from these three bills. Their efforts culminated in a new bill (PL 2,338/2023), introduced in May 2023.

Brazil's legislative progress reflects the EU's risk-based approach, notably the AI Act endorsed by the European Parliament in March 2024, which imposes obligations contingent on a system's risk level, especially in high-risk AI applications. The approach has sparked discussions, with some critics challenging the notion of 'risk' and advocating for more robust participatory and oversight processes. Others suggest that Brazil should craft a bespoke law that caters to its unique context without hindering innovation.

Understanding the 'Brussels Effect' and its ramifications on Brazil's AI regulatory trajectory is key for discerning opportunities and challenges in the Global South. Brazil's progressive regulatory framework could potentially guide other countries in developing their AI governance structures.

This panel aims to delve into Brazil's regulatory effort, exploring its key components and evaluating the impact of the EU legislative approach on the country's AI regulatory framework. It will scrutinise the influence of EU AI regulations on Brazil's digital legal landscape, drawing comparisons between the risk-focused AI governance strategies of the EU and Brazil. Additionally, the panel will ponder the benefits and challenges derived from incorporating the EU's approach into the global conversation on AI governance.

Speakers:
- Alessandro Mantelero, Polytechnic University of Turin
- Laura Schertel, University of Brasilia
- Frederico Oliveira da Silva, European Consumer Organisation (BEUC)
- Marco Almada, European University Institute

Moderator:
- Bianca-Ioana Marcu, Future of Privacy Forum (FPF)

13:10 - 14:40. Panel 2:

The Meta-regulatory Turn in Platform Governance: is Brazil Following in the EU's footsteps?

Description:

Digital platforms have increased the ability of individuals and businesses to reach wide audiences and receive information online. This has permitted the creation of new types of relationships and business dynamics, bringing about complex challenges for the governance of online communities. Alongside the scale and speed of content moderation, one of the main complicating factors is the orchestrating nature of online platform services, which bring together heterogenous groups without exercising direct control over their activities, and yet holding enormous power through architecture and governance choices to shape the content that is delivered to final consumers.

To face these challenges, EU legislation such as the Digital Services Act (DSA) and the Digital Markets Act (DMA) has introduced a new regulatory environment where a few key online platforms, which presumably play a significant role in orchestrating value creation, are required to meet a more stringent range of obligations than other players in the online ecosystem. A crucial component in this regulatory framework is the choice for a "meta-regulatory" approach: platforms have a certain amount of discretion to implement the principles set out by regulators, who in turn engage in a process of continuous evaluation of monitoring of the results, to make sure that the implemented solutions meet the regulatory objectives. This approach promotes regulatory learning and equips both platforms and regulators with the flexibility to deal with complex challenges involving multiple actors whose conduct can often not be predicted.

Brazil has been discussing two platform regulation bills (PL 2,630/2020 and PL 2,768/2022) that replicate both the asymmetric nature and the meta-regulatory approach of the EU. However, the bills are being criticised for importing the European model without sufficient attention to the different institutional and socio-economic contexts, which raises important questions about their effectiveness and suitability. This panel will examine the legislation negotiated in the Brazilian Congress, highlighting its peculiarities and commonalities with the EU's DSA and DMA. It will delve into potential enhancements and assess the anticipated impact of such reforms. Furthermore, the panel will explore whether Brazil's endeavours could serve as a benchmark for other countries in Latin America and the broader Global South.

Speakers:
- Menno Cox, European Commission
- Beatriz Kira, Sussex University
- Friso Bostoen, Tilburg University
- Clara Iglesias Keller, WZB Berlin Social Science Center

Moderator:
- Nicolo Zingales, FGV/CTS

15:00 - 16:20. Panel 3:

Brazil's Role in Global Data Flows Governance: Opportunities for Data Protection Convergence

Description:

Cross-border data flows and global data governance are complex and evolving issues that affect the interests and rights of diverse stakeholders, including states, corporations, and individuals. As one of the largest economies in the world and a leading force in Latin America, Brazil holds the potential to exert significant influence in shaping global standards for international data transfers.

This panel will examine Brazil's position and strategy in the international debate on data flow governance. It will also consider the potential implications of the Brazilian approach for regions such as Latin America and Africa. This becomes particularly crucial given the increased convergence towards a high level of data protection globally and the different avenues to reach this goal shared by many states globally.

Brazil and the European Union have adopted convergent digital legal frameworks, especially in data protection matters, that could soon lead to a mutual adequacy arrangement. This could open opportunities for increased cooperation at bilateral and regional levels and present even a strengthened partnership between the two digital economies.

The panel aims to foster a comprehensive discussion on the evolving dynamics between the European Union and Brazil's personal data regulatory approach, offering valuable insights into the broader implications for global data governance and providing a platform for international dialogue on common regulatory challenges and opportunities.

Speakers:
- Miriam Wimmer, Brazilian Data Protection Authority (ANPD)
- Estelle Masse, European Commission
- Bruno Bioni, Data Privacy Brasil
- Vellah Kedogo Kigwiru, Max Planck Institute for Innovation and Competition

Moderator:
- Sophie Stalla Bourdillon, VUB/Brussels Privacy Hub

16:20 - 16:40. Wrap-up and concluding remarks

Conference wrap-up:

Key points, insights, and conclusions from the Conference discussion.

- Burcu Kilic, Centre for International Governance Innovation (CIGI)

Concluding remarks:

- LSTS-VUB and CTS-FGV