

Accountability and public policies applied to artificial intelligence in Latin America

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Executive Summary

Faced with the risks associated with artificial intelligence (AI) systems, various actors (government, private sector and civil society) have proposed ethical principles to guide their development and implementation in Latin America. Against this scenario, accountability mechanisms emerge as instruments that allow the operationalization of ethical principles such as transparency, privacy, security and accountability itself, among others. The purpose of this article is to map and systematize accountability mechanisms for AI systems already implemented, under implementation or proposed in Argentina, Chile, Colombia, Peru and Uruguay. To this end, we will analyze the concept of accountability as an ethical principle, its role in AI governance and its mechanisms, and then present the findings identified after reviewing the regulations, public policy instruments, and publicly accessible records available in these countries. The article seeks to provide a comparative perspective and greater clarity on accountability mechanisms for AI systems since there is no similar precedent in the region.

Keywords:

artificial intelligence | accountability | AI auditing | ethical operational standards | AI governance | public policy.

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1.

Introduction

This research aims to map and analyze accountability mechanisms for artificial intelligence (AI) systems in Latin America while seeking to answer the following question: what are the accountability mechanisms for AI systems that have been proposed, implemented or are under implementation in Latin America?

For this purpose, Spanish-speaking countries in South America that have shown a development of plans, programs or strategies for the promotion of AI have been selected, as compiled by Gómez *et al.* (2020) in a work that is part of the fAIr LAC initiative of the Inter-American Development Bank (IDB). In this regard, such mechanisms have been reviewed in Argentina, Colombia, Chile, Peru and Uruguay, covering the period from January 2018 to October 2021, and including the study of public policy documents (e.g., plans, national policies, strategies, directives, current laws, decrees, regulations, ordinances, technical documents, etc.) published by government entities regarding the regulation applicable to AI in those countries. In addition, initiatives from civil society organizations and private institutions with publicly accessible mechanisms have been included in the analysis.

In relation to the application of accountability mechanisms, it is necessary to emphasize that they generate value for society insofar as they make it possible to operationalize other ethical principles linked to AI, such as transparency, privacy protection and security. Thus, accountability is a central element for the fulfillment of ethical obligations in the development of AI applications, since, as Shah (2018) points out, when algorithms can be held accountable, it promotes the construction of the social trust necessary for the sustainable development of AI systems.

The state of the art of accountability for AI systems in Latin America is still incipient. Thus, Scrollini (2020) analyzed use cases for automation in the public sector in Latin America, with accountability being tangential to this research. In turn, as previously noted, Gómez *et al.* (2020) mapped AI initiatives in Latin America and the Caribbean. However, this research did not delve into the principle of accountability or the proposed mechanisms that operationalize this principle.

On the other hand, at a comparative level, Gavaghan *et al.* (2019) analyzed the governmental use of AI in New Zealand by taking accountability as a concept homologous to transparency and identified as relevant rights in this field the right to an explanation for automated decisions, the existence of a similar right in the regulations of that country (right to reasons), as well as the need for greater consideration for the concept of the right to a reasonable inference. Likewise, the Ada Lovelace Institute (2020) identified

transparency⁷ mechanisms for the UK public sector in algorithmic decision making.

A study closer to the object of analysis of the present research is the one conducted by Loi and Spielkamp (2021) who, based on the analysis of 16 government guidelines for the use of AI in the public sector, developed a conceptual framework in which accountability necessarily implies the existence of responsibility, the power to demand reasons for decisions taken, and the power to sanction. In addition, they determined that auditing is an appropriate means of indirect accountability whenever there is some form of sanction (e.g., reputational damage).

In view of the preceding research, it is important to point out that the scope and depth of the mapping of accountability mechanisms has no similar precedent in the region, and the relevance of the present work lies in providing greater clarity on this type of instrument for researchers, policy makers, NGOs and other actors interested in the ethical development of AI.

Next, the research methodology used will be developed (chapter II), followed by the theoretical framework and literature review on the concepts of IA, the concept of accountability as an ethical principle, its role in the governance of AI and its mechanisms (chapter III). Subsequently, the systematized results will be presented sequentially in relation to Argentina, Chile, Colombia, Peru and Uruguay (chapter IV), followed by a discussion of the results (chapter V), the presentation of conclusions (chapter VI) and bibliographical references (chapter VII).

⁷ Mechanisms such as data protection and fairness impact assessments, audit reports, open data standards, data sharing agreements, database registries, among others.

2.

Methodology

This research is exploratory and descriptive. For the mapping of accountability mechanisms proposed, implemented or under implementation for AI in Latin America in the period 2018 to 2021, qualitative research methods related to documentary review have been used.

For the collection of information at the governmental level, the institutional portals of the executive and legislative branches of Argentina, Chile, Colombia, Peru and Uruguay have been reviewed in order to identify the relevant regulations for the object of study. Likewise, for mechanisms at the level of civil society and private organizations, search engines have been used limiting the time period and inserting the name of the country followed by the connector “AND”, the term “Artificial Intelligence” and the terms “national strategy”, “national plan”, “national policy”, “accountability”, “regulation”, “human rights”, “damage remediation”, “appeal of automated decisions”, “public oversight body”, “NGO”, “observatory”, “compliance officer”, “good ethical practices”, “code of conduct”, “whistleblower channels”, “ethical protocols”, “impact assessment”, “standards”, “algorithm audit” and “private company”.

The information collected from each documentary source has been systematized and classified by the type of actor and the status of its implementation. Regarding the first classification criterion, each identified mechanism has been linked to the actor leading its implementation:

- Government: Initiatives from entities that make up the legislative, judicial and executive branches (at the national and local level), as well as autonomous public bodies.
- Private sector: Initiatives led by companies or business associations.
- Civil society: Initiatives led by institutes, universities, NGOs and foundations.

In relation to the criteria on the status of their implementation, four categories have been applied:

- Not proposed: If no reference is recorded in any of the documents reviewed.
- Proposed: If the mechanism is recorded in a non-official, referential or non-binding document.
- Under implementation: If it is recorded in an official, binding document in the case of the government sector (e.g., approved national strategy, decrees or other legal norms), or there is additional evidence of progress in its development.
- Implemented: If the mechanism is currently deployed and interacting with the recipients of the instrument.

Likewise, the mechanisms have also been classified by their typology following the literature related to accountability as a principle for AI governance (Koene et al., 2019),

and the mechanisms that have been frequently proposed by international documents such as, for example, the Preliminary Draft Recommendation on the Ethics of Artificial Intelligence developed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) Ad Hoc Expert Group (AHEG). Based on these approaches, the triple categorization of legal, institutional and technical mechanisms has been used. Legal mechanisms refer to any instrument that specifies, details or substantively recognizes human rights in the context of the use of algorithms and AI systems, as well as procedural mechanisms for the exercise of damages, opposition or appeal of automated decisions before the courts or an entity exercising administrative justice.

The other two categories are institutional mechanisms - which include the existence of instruments that affect practices - or the structure of existing organizations - that create new organizations, redefine roles and support channels, such as monitoring bodies, best practices, codes of conduct, complaint channels or some role within an organizational structure. Technical mechanisms include instruments that interact directly with databases, algorithms or other components of AI systems or, failing that, enable the use of these systems (impact assessments, application of technical standards, algorithmic audits, etc.).

3.

Theoretical framework and literature review

3.1. Artificial intelligence

According to Gasser and Virgilio (2017), AI does not refer to a single technology but to a diverse set of techniques and sub-disciplines which, from a phenomenological point of view, are grouped under the umbrella term artificial intelligence, having as a common characteristic the degree of autonomy exhibited.

Thus, the set of techniques involved in AI has evolved since its origins in the 1950s, incorporating, for example, the use of machine learning, neural networks, and deep learning, among others, which together with the improvement in computational capacity have increased the number and type of AI applications.

On the other hand, as pointed out by Gasser and Virgilio (2017), the current generation of artificial intelligence applications is within what is known in the literature as weak intelligence (*Weak AI*) by focusing on punctual tasks, differentiating itself from the concept of a strong or general intelligence (*General or Strong AI*) that could apply its intelligence to any type of problem. Therefore, at present, the governance challenges of artificial intelligence refer to *Weak AI*.

Likewise, it is necessary to specify a concept related to and used in various public policy documents such as that of an AI system which, according to the Organization for Economic Cooperation and Development (OECD, 2019), is understood as a machine-based system that, given a set of objectives defined by humans, can make predictions, recommendations or decisions that influence real or virtual environments and are designed to operate with different levels of autonomy.

3.2. Accountability as an ethical principle for AI

Accountability is one of the most recurrent elements in ethical guidelines, frameworks or lists of principles developed at the global level. Thus, according to the Berkman Klein Center (Fjeld et al., 2020), it is one of the eight most common themes identified in documents on ethical principles for AI produced by civil society, government entities, the private sector and international organizations.

For example, one of the most commonly used definitions is the one used by the legal instrument 0449 establishing the OECD Council Recommendations on Artificial Intelligence (2019), which defines it as the principle by which AI actors should be held accountable for the proper functioning of AI systems and for respecting the other principles, depending on their role, the context and the state of the art. (Principle 1.5).

However, this definition does not develop what can be understood by accountability; it only makes explicit its link with other factors such as ethical principles or context. Furthermore, it is necessary to have greater clarity in its definition considering that the use of this term has varied and its scope has been extended even to spaces of dialogue with citizens. Given this panorama, the research follows an initial delimitation according to Mulgan (2002) who, without denying its complexity, essentially links it to the application of external scrutiny and sanction mechanisms.

For the analysis of the components of accountability we turn to Bovens (2007), who conceptualizes it as a social relationship involving an actor and a forum, in which the actor has the obligation to explain and justify its conduct and the forum can question and judge. The actor will assume the potential consequences derived, such as legal remedies or interventions to correct a malfunction.

Under this framework, the actor may be an individual or an organization and the forum may be a specific person or an administrative, political, judicial or other social entity. In addition, the obligation to justify, explain and accept consequences may be formal or informal. Likewise, accountability includes both *ex post* scrutiny and prevention, having different types of accountability according to the forum (political, legal, administrative, professional and social). For Bovens (2007), this is a limited or strict definition of accountability since, for example, control mechanisms such as regulations that do not have procedures to explain and justify the behaviors of actors could not be accountability mechanisms *per se*.

In parallel, Fox (2007) divides accountability into a weak or soft version whose scope is centered in the field of clear transparency and the institutional obtaining of answers, while the hard version would necessarily imply the power to establish sanctions, compensations and remedies. Likewise, a distinction can be made between a horizontal dimension of accountability, based on the relationship between public institutions, and a vertical dimension, where the relationship is between citizens and the state (Fox, 2006).

Similarly, for Peruzzotti (2008), accountability is external to the actor subject to accountability. It involves interaction and a right to demand answers, distinguishing two dimensions: i) the obligation to inform and justify decisions (answerability) and ii) the ability to impose sanctions on those who violate their duties or obligations (enforcement). Thus, Peruzzotti (2008) reiterates that “(...) there can be no accountability if the actor demanding answerability does not have the institutional capacity to generate corrections and apply sanctions (...)” (p.5).

Having said this, as Busuioc (2020) points out, accountability criteria and standards are not always clear. Thus, according to Olsen (2014), theorizing about this principle requires the relaxing of assumptions about what accountability comes to imply and how it emerges or changes within a social and institutional context. In that sense, for this research, accountability may use means of internal control or internal transparency such as auditing, which are not *per se* accountability mechanisms but can be used to achieve better traceability of decision making and to achieve indirect accountability (Loi and Spielkamp, 2021).

Finally, Koene et al. (2019) define accountability applied to AI algorithms and systems as a set of mechanisms, practices, and attributes that are added to a governance structure involving other elements, such as policies, procedures, mechanisms, and commitment to ethical and legal obligations for the demonstration of ethical implementation to stakeholders, as well as the remediation for any lack of diligence.

Based on the definitions previously mentioned, a definition has been developed for the present research that will be used to identify the accountability mechanisms in the selected countries. Thus, the principle of accountability for AI is conceptualized as the open and evolving set of mechanisms, which may be of a legal, institutional or technical nature, used in the relationship between an actor and a forum in order to inform, explain, justify, evaluate and monitor decisions in the process of ethical implementation of AI, as well as to prevent, remedy, determine responsibilities and sanction damages before, during and after the implementation of an AI system, covering the entire cycle of its development.

3.3. The role of accountability in AI governance

According to the model proposed by Gasser and Virgilio (2017), there are three interacting layers in the AI governance ecosystem. The first layer and foundation for the others is the technical layer, which involves the development of standards and principles for AI algorithms. In this layer, for example, the principle of accountability has served as a foundation for the proposal of principles applicable to algorithms, such as the one developed by Diakopoulos et al. (2016) that includes the principles of accountability, explainability, accuracy, auditability, and fairness. Then, there is a second ethical layer that articulates concerns about ethical principles and human rights. Thus, for example, McGregor et al. (2019) propose a framework for algorithm accountability based on the application of international human rights law, which could also place the principle of accountability in the second layer. Finally, there is a third social and legal layer that involves the creation of institutions, responsibilities, and regulations.

Regarding this, Gasser and Virgilio (2017) point out that the implementation of governance structures can occur in multiple layers and involves mixed approaches. In that sense, the application of the accountability principle may involve all three layers of AI governance.

Regardless of the governance system chosen, which according to Koene et al. (2019) can move along a five-stage continuum space from market mechanisms to command-and-control regulation, there are a variety of ways to promote and implement accountability. Thus, as Shah (2018) points out, there is no single instrument but several of them can be employed, such as transparency, governance and redress measures.

3.4. Accountability mechanisms

According to Fjeld et al. (2020), accountability is linked to a wide range of criteria and mechanisms such as verifiability and replicability, impact assessment and environmental

liability for the design of AI systems, assessment and audit requirements, creation of monitoring bodies, appealability at the monitoring stage, remedies for automated decisions, legal liability, and new regulations at the compensation stage.

Furthermore, documents such as the Preliminary Draft Recommendation on the Ethics of Artificial Intelligence prepared by the Ad Hoc Expert Group in accordance with UNESCO's 40 C/37 Resolution refer to accountability as a principle that would cover:

“[developing] appropriate oversight, impact assessment and due diligence mechanisms to ensure accountability for AI systems and their impact throughout their life cycle. Both technical and institutional arrangements should ensure the auditability and traceability (of the operation) of AI systems, in particular to address any conflicts with human rights and threats to the environmental and ecosystem well-being.” (GEE, 2020, p. 13).

Said document mentions the performance of impact assessments, as well as the categories of technical and institutional mechanisms that have an open nature, as can be seen in the updated version of the document (UNESCO, 2021) that incorporates whistleblower protection as a mechanism. In this sense, Katyal (2019) suggests some accountability mechanisms for private environments, such as codes of conduct, human impact assessments, and whistleblower protection, among others.

From the aforementioned, it can be specified that the different accountability mechanisms, over and above the specific regulatory regime, are in constant change as the governance framework develops. Thus, new mechanisms are being added, not necessarily mutually exclusive, which may be legal (e.g., right of redress), institutional (monitoring bodies) or technical (impact assessments).

4.

Accountability for AI in Latin America

The following is a mapping of accountability mechanisms for AI systems that are proposed, in the process of implementation or implemented in the countries of Argentina, Chile, Colombia, Peru and Uruguay. To this end, a typology of these mechanisms has been applied, classifying them into three categories: i) legal mechanisms, ii) institutional mechanisms and iii) technical mechanisms.

For the category of legal mechanisms, procedural mechanisms for reparation of damages and those for opposition and/or appeal of automated decisions have been considered as legal remedies for the use of AI systems. Thus, the appeal or opposition of automated decisions would include concepts such as the requirement of human intervention, the opposition to an automated decision and the right to explanation; said concepts can be identified in other regulatory frameworks such as, for example, Article 22 of the General Data Protection Regulation (GDPR) (Liu et al., 2019). On the other hand, the open concept has been included for the new regulation and/or recognition of human rights in the use of algorithms in order to identify new concepts that are not limited to the current regulatory framework such as, for example, the right to reasonable inference, which would apply to inferences based on unverifiable and counterintuitive predictions that affect privacy or reputation in the face of accountability gaps in high-risk inferences (Tene and Polonestsky, 2013; Wachter and Mittelstadt, 2019).

In the category of institutional mechanisms, codes of conduct, the concept of the compliance officer, best practices, the establishment of protocols, anonymous complaint channels, among others, have been considered for their usefulness as internal measures for accountability that, as pointed out by Katyal (2019), can help to make companies more transparent. In addition, the creation of governmental oversight organizations has been considered as institutional mechanisms for horizontal accountability, as well as the existence of civil society organizations whose role promotes horizontal and vertical accountability (Fox, 2006).

In turn, algorithmic audits, standards and impact assessments have been considered in the category of technical mechanisms, given their usefulness in reviewing compliance with obligations by supervised actors and in assessing the risk generated or undesired impacts (Koene et al., 2019), as well as their inclusion in regulatory proposals such as the Artificial Intelligence Act (2021) developed by the European Commission (Koene et al., 2019).

4.1. Argentina

To date, there are ten accountability mechanisms proposed at the legal, institutional and technical levels. However, only two mechanisms applicable to AI systems have been identified that are already implemented, as shown in Table 1.

Table 1. Summary of AI accountability mechanisms in Argentina

Type of accountability mechanisms	Status	Actor	Detail
Legal mechanisms			
New regulation and/or recognition of human rights in the use of algorithms	Proposed	Civil society	Right to human intervention in the face of automated decisions Origin: ADC
Procedural mechanisms for reparation of damages	Not proposed	-	-
Procedural mechanisms for appeal and opposition of automated or similar decisions.	Implemented	Government	Partial prohibition of total automation for judicial decisions and administrative acts that assess human conduct. Origin: Law 25.326.
Procedural mechanisms for appealing automated decisions	Proposed	Civil society	Right to explanation of automated decisions Origin: ADC
		Government	Right to explanation and opposition to fully automated decisions Origin: PL 6234-D-2020
Institutional mechanisms			
Monitoring bodies	Proposed	Government	National Artificial Intelligence Observatory and AI Ethics Committee Origin: National AI Plan
Monitoring bodies	Proposed	Government	Federal Artificial Intelligence Council Origin: PL 0509-D-2019
Monitoring bodies	Implemented	Civil society	NGOs on AI and society Origin: ADC, Vía Libre Foundation and SADIO
Anonymous complaints channel and whistleblower protection measures	Not proposed	-	-
Compliance programs	Not proposed	-	-
Codes of conduct	Not proposed	-	-
Compliance officer	Not proposed	-	-
Best practices	Proposed	Government	On human rights and ethics Origin: National AI Plan
Protocols	Proposed	Government	Guideline on new technologies in public products and services Origin: National AI Plan
Technical Mechanisms			
Impact assessment	Proposed	Government	Labor impact measurement model Origin: National AI Plan

Standards	Proposed	Government	Standards manual for the design, development and use of databases Origin: National AI Plan
Algorithmic audit	Proposed	Government	Origin: National AI Plan
Other (Repository of public AI solutions)	Proposed	Government	Origin: National AI Plan

Source: compilation by the authors (2021)

In reference to legal mechanisms, the only mechanism implemented is the one established by Law 25.326, the Personal Data Protection Law (2000), which to date is still in force and prevents in its article 20 that judicial decisions or administrative acts that assess human conduct have as their sole basis automated systems that provide a definition of the profile or personality.

Likewise, at the level of proposals, the bill 6234-D-2020 (2020) seeks to amend the Personal Data Protection Law by incorporating the rights to explanation and the right to oppose fully automated decisions in its articles 28 and 32. On the civil society side, the Association for Civil Rights (ADC, 2020b) has proposed the inclusion of the rights to explanation in the face of automated decisions and human intervention, by which a human being must be ultimately responsible for decision making.

As regards institutional mechanisms, civil society has taken a leading role by having implemented monitoring mechanisms from NGOs. The ADC (2020a) participates in the development of AI from a human rights approach and monitors the use of facial recognition through legal actions and investigations under the campaign #ConMiCaraNo (Not With My Face).² For its part, the Vía Libre Foundation (2020) carries out dissemination activities on the impact of AI through its online publications and the project “Defense of fundamental rights in the digital society 2021” (n.d.), whose pivotal elements are data protection and ethics in AI and human rights. In addition, the Argentine Society of Informatics (SADIO, 2021) has conducted lectures and virtual courses on ethics and regulation of AI in the year 2021.

At the level of proposals, the Bill No. 0509-D-2019 (2019) seeks to create the Federal Council of Artificial Intelligence, which would fulfill the functions of an observatory, develop best practice guidelines and use of open source, advise on the design of standards, mapping of AI initiatives, ethical issues and technology risks, among others.

In parallel, the National Artificial Intelligence Plan (2019)³ and its complementary and/or follow-up documents include institutional measures, at the level of proposals, such as the creation of the i) AI Ethics Committee whose conformation would be based on the contribution of academia and civil society, ii) National Observatory on Artificial Intelligence, which would have the role of a consulting and auditing body in AI public policies, fulfilling the functions of advice, analysis of the ethical and social impact and the development of a risk management scheme derived from AI, iii) best practices on

² Campaign website: <https://conmicarano.adc.org.ar/>

³ Plan prepared through public consultation, which according to Gómez et al. (2020) had its status changed to “reference document” (p.41), which would make it a non-binding document.

human rights and ethics for AI and iv) guidelines on new technologies in AI products and public services.

Finally, none of the technical mechanisms have been implemented. However, the National Artificial Intelligence Plan (2019) does have mechanisms at the level of proposals such as the use of algorithmic audits to determine the reasonableness and non-discrimination of results, the creation of a repository of public sector AI solutions where algorithms can be accessed for auditing, the development of a manual of standards for the design, development and use of databases and a model for measuring the impact of artificial intelligence on the labor market at the level of supply and demand.

4.2. Chile

To date, there is one accountability mechanism in place, eight under implementation and two mechanisms proposed at the legal, institutional and technical levels, as shown in Table 2.

Table 2. Summary of AI accountability mechanisms in Chile

Type of accountability mechanisms	Status	Actor	Detail
Legal mechanisms			
Regulation and/or recognition of human rights in the use of algorithms.	Not proposed	-	-
Procedural mechanisms for reparation of damages	Not proposed	-	-
Procedural mechanisms for appeal and opposition of automated or similar decisions	Proposed	Government	Right to object to fully automated decisions Origin: Bills on protection of personal data
Other (affirmative actions for the participation of women in the development of AI systems)	Under implementation	Government	Origin: National AI policy
Institutional mechanisms			
Monitoring bodies	Under implementation	Government	FStrengthening of the Labor Observatory for AI Origin: National AI Policy
Monitoring bodies	Implementado	Civil society	NGOs on AI and society Origin: Digital Rights and Ciudadanía Inteligente Foundation
Anonymous complaints channel and whistleblower protection measures	Not proposed	-	-
Compliance programs	Not proposed	-	-

Codes of conduct	Not proposed	-	-
Compliance officer	Not proposed	-	-
Best practices	Under implementation	Government	On human-machine interaction (labor), environment and gender equity Origin: National AI Policy
Protocols	Not proposed	-	-
Technical mechanisms			
Impact assessment	Proposed	Government	For privacy and risks of AI systems Origin: Draft National AI Policy
Standards	Under implementation	Government	Algorithmic transparency standard Origin: National AI Policy
Algorithmic audit	Under implementation	Government	Origin: National AI Policy
Other (promotion of the use of algorithms with review and remediation structures by private parties)	Under implementation	Government	Origin: National AI Policy
Other (baseline for monitoring gender participation in AI)	Under implementation	Government	Origin: National AI Policy
Other (preventive testing to avoid discrimination)	Under implementation	Government	Emphasis on gender discrimination Origin: National AI Policy

Source: compilation by the authors (2021)

In relation to legal mechanisms, the draft of the National Artificial Intelligence Policy (2020)⁴ initially included as a proposal the use of affirmative actions to promote the participation of women in the development of AI systems. However, on October 28, 2021, the official version of the National Artificial Intelligence Policy (2021)⁵ was published, which maintains such measure while updating its qualification as a mechanism under implementation.

As for the proposed mechanisms, there are two bills: one bill on personal data protection (2017) and another bill that regulates the protection and processing of personal data by creating the Personal Data Protection Agency (2017), which have been merged and include the right to oppose fully automated decisions if they produce adverse legal effects or significant negative affectation.

In reference to institutional mechanisms, civil society has monitoring bodies already implemented. For example, the Derechos Digitales NGO (Velasco, 2021) promotes that AI governance includes a normative framework for the protection of human rights by policy

⁴ This document was developed through a public consultation process, as this document has no legally binding value; it is only considered at the level of proposals.

⁵ Official public policy document that establishes the guidelines and objectives for the promotion and regulation of AI in Chile, developed from the comments received on its draft.

makers and private companies, as well as the integration of the gender perspective. In addition, it has monitored the use of data and regulatory frameworks in AI projects undertaken by the public administration in Brazil, Chile, Colombia and Uruguay through the initiative “Artificial Intelligence and Inclusion in Latin America” (Derechos Digitales, 2021). For its part, the Ciudadanía Inteligente Foundation (n.d.) has the project “<A+> Alliance for Inclusive Algorithms”, which seeks to promote research and pilot projects on inclusive algorithms, affirmative action and feminist AI initiatives.

It should be noted that, at the governmental level, a committee of experts and an inter-ministerial team for artificial intelligence policy were created, which do not have the express mandate of constant monitoring of AI or the development of regulatory proposals; therefore, it could not be constituted as an institutional monitoring body since its specific purpose is the formulation of the draft national policy on artificial intelligence.

On the other hand, at the level of implementation mechanisms, the National Artificial Intelligence Policy (2021) proposes the creation of best practices for human-machine interaction in the field of labor, environment and gender equity, as well as the strengthening of the Labor Observatory to conduct prospective analysis on the impact of AI.

As regards technical mechanisms, the abovementioned document has mechanisms in place, such as the use of standards for algorithmic transparency, algorithmic audits, the development of a baseline for monitoring gender participation in AI areas, preventive testing to prevent discrimination with an emphasis on gender discrimination, and the promotion of the use of algorithms with review and remedy structures by providers in the event of consumer issues (e.g. gender or religious discrimination)⁶. It is worth noting that this last mechanism has been subject to a significant change that qualifies the obligation of suppliers and limits it to the use of algorithms, in relation to the previous version included in the draft of said policy, where it was established that “suppliers must seek the use of explainable and fair algorithms, configuring internal review structures that prevent automated decisions that do not conform to the parameters of consumer protection (...) and in this way, enable actions to remedy them” (Ministry of Science, Technology, Knowledge and Innovation, 2020, p.65).

Finally, the reference to technical mechanisms for impact assessment and ex ante and/or ex post risk assessment have remained as a proposal of the draft National Artificial Intelligence Policy (2020).

4.3. Colombia

Starting from the recognition of the absence of specific measures for the implementation of the OECD principles on AI ⁷, Colombia has been progressively developing accountability mechanisms for AI. Thus, from the general review of relevant public policy instruments⁸,

⁶ The textual quotation of the official version is: “(...) we will work together with suppliers to ensure the use of explainable and fair algorithms. These algorithms will be configured with internal review structures that prevent automated decisions that do not conform to consumer protection parameters, in accordance with national legislation. Likewise, these algorithms shall enable actions to remedy them, (...)” (Ministry of Science, Technology, Knowledge and Innovation, 2021, p.58).

⁷ Recognition expressed in the CONPES Document 3975, National Policy for Digital Transformation and Artificial Intelligence (2019).

⁸ Decree 1008 (2018), document CONPES 3920, National Policy for Data Exploitation (2018), document CONPES 3975, National Policy for Digital Transformation and Artificial Intelligence (2019), document CONPES 4023, Policy for Reactivation, Repowering and Sustainable and Inclusive Growth: New Commitment for the Future of Colombia (2021), Presidential Directive No. 03 on guidelines for the use of cloud services, artificial intelligence, digital security and data management (2021), and Ethical Framework for Artificial Intelligence in Colombia (Version 1).

eight have been identified at the level of proposals, four under implementation and two implemented, as detailed in Table 3.

Table 3. Summary of AI accountability mechanisms in Colombia

Type of accountability mechanisms	Status	Actor	Detail
Legal mechanisms			
New regulation and/or human rights recognition in the use of algorithms	Not proposed	-	-
Procedural mechanisms for appeal and opposition of automated or similar decisions	Not proposed	-	-
Other (documentation and annual accountability on AI systems)	Under implementation	Government	For executive branch entities Origin: Presidential Directive No. 03
Institutional mechanisms			
Monitoring bodies	Proposed	Government	International Artificial Intelligence Council Origin: International Artificial Intelligence Council for Colombia. Institutional responses for the implementation of the artificial intelligence policy.
Monitoring bodies	Implemented	Civil society	NGOs and Academia on AI and society. Origin: Karisma Foundation and ISUR
Anonymous complaints channel and whistleblower protection measures	Not proposed	-	-
Compliance programs	Not proposed	-	-
Codes of conduct	Proposed	Government	Origin: Ethical Framework for AI in Colombia
Compliance officer	Not proposed	-	-
Best practices	Proposed	Government	Origin: Ethical Framework for AI in Colombia
Protocols	Proposed	Government	Origin: Ethical Framework for AI in Colombia
Technical mechanisms			
Impact assessment	Under implementation	Government	Assessment of the impact of AI on the labor market Origin: CONPES 3975
Impact assessment	Proposed	Government	Privacy impact assessment of AI Origin: Ethical Framework for AI in Colombia
Standards	Under implementation	Government	Standard for the implementation of inclusive AI systems Origin: CONPES 3975
Algorithmic audit	Not proposed	-	-
Other (algorithm assessment)	Proposed	Government	Origin: Ethical Framework for AI in Colombia
Other (legitimacy assessment)	Proposed	Government	Origin: Ethical Framework for AI in Colombia

Other (implementation of an AI risk management system)	Under implementation	Government	For executive branch entities Origin: Presidential Directive N° 03
Other (algorithmic ethical register/ dashboard)	Implemented	Government	Origin: Ethical Framework for AI in Colombia
Other (monitoring of database errors)	Proposed	Government	Origin: Ethical Framework for AI in Colombia

Source: compilation by the authors (2021)

Regarding legal mechanisms, Presidential Directive No. 03 on guidelines for the use of cloud services, artificial intelligence, digital security and data management (Colombia, 2021) established, as a mechanism under implementation, the legal obligation for executive branch entities to inform citizens about AI systems under development and/or implementation through an annual accountability report.

In reference to institutional mechanisms, civil society has implemented monitoring organizations such as the Karisma Foundation and the Internet and Society Center of the University of Rosario (ISUR). The Karisma Foundation has recommended the use of the international HR framework to assess the effects of AI (2019), and has conducted a campaign to stop the use of AI in social network profiling by the police (Castañeda and Velásquez, 2020), while ISUR (n.d.) monitors AI governance and participates in the Artificial Intelligence Roundtable, which is a space to minimize risks in the implementation of the Colombian Constitutional Court’s Prometea system.

Likewise, at the level of proposals, Español (2021) proposes the creation of the International Council of Artificial Intelligence for Colombia, whose structure would be that of an intersectoral committee composed of the Director of the Administrative Department of the Presidency of the Republic, the Director of the National Department of Planning and Development, the ministers of Labor, Information and Communications Technologies, Commerce, Industry and Tourism, Science, Technology and Innovation, National Education and nine international experts in order to develop public policy proposals for the deployment of AI, monitor its implementation, and give guidance on this matter, including the application of the AI ethical framework, among others.

In parallel, the *Ethical Framework for Artificial Intelligence in Colombia* developed by Español et al. (2021)⁹ is a document of recommendations for the public administration that covers the definition of principles, accountability regimes¹⁰ and includes proposals from institutional mechanisms such as the use of best practices in the use of information and the creation of explanations, security protocols for AI systems and codes of conduct and/or ethics that would minimally cover the entity’s principles, scope, system exclusivity, value, intellectual property, accountability, applicable audit regime, mechanisms for reducing biases and the functions and roles of the personnel in charge.

On the other hand, document CONPES 4023 (2021) established the formation of the

⁹ Document prepared at the request of the Government of Colombia with support from CAF that collected comments from civil society through a public consultation process that, not having a legally binding value, is only considered at the level of proposals.

¹⁰ For example, it proposes joint liability for actors involved in data collection and processing, and a limited liability for algorithm designers that excludes their implementation.

internal working group on artificial intelligence for economic reactivation purposes. Since this working group does not have supervision or monitoring functions, it has not been considered as an institutional mechanism.

Finally, in relation to the technical mechanisms implemented, the ethical registry of algorithms was originally a proposal included within the *Ethical Framework for Artificial Intelligence in Colombia* (Español, 2021) in order to make transparent the information on the implementation of ethical principles (non-discrimination, mitigation of biases, human control, etc.), the person responsible for its development and implementation, and the algorithm applied, among others. However, its status was updated to implemented after October 12, 2021, when the Presidency of the Republic of Colombia made this mechanism available to the public through the launching of a web dashboard¹¹ to visualize its content.

In reference to the mechanisms being implemented, document CONPES 3975 (2019) establishes the creation of a standard for the implementation of inclusive AI systems by the Ministry of Information and Communication Technologies that should have been concluded by November 2020, and a study on the impact of AI on the labor market by the Ministry of Labor that should have been concluded by December 2021. For its part, Presidential Directive No. 03 (Colombia, 2021) requires public institutions to have an AI risk management system.

At the level of proposals, the *Ethical Framework for Artificial Intelligence in Colombia* (Español, 2021) includes assessments of privacy impact, of algorithms and the data on which they are based, of legitimacy following the model of Ortiz and Iglesias (2018), and the practice of error monitoring as part of the data cleansing process.

4.4. Peru

In general, from the review of relevant public policy instruments¹², only two mechanisms have been identified as being implemented and one implemented. However, there are seven proposals at the institutional and technical level, as shown in Table 4.

Table 4. Summary of AI accountability mechanisms in Peru

Type of accountability mechanisms	Status	Actor	Detail
Legal mechanisms			
New regulation and/or recognition of human rights in the use of algorithms.	Not proposed	-	-

11 <https://inteligenciaartificial.gov.co/dashboard-IA/>

12 Ministerial Resolution N° 119-2018-PCM (2018), Legislative Decree N° 1412, which approves the Digital Government Law (2018), Emergency Decree N° 006-2020, which creates the National Digital Transformation System (2020), Digital Agenda to the Bicentennial (2020), Emergency Decree N° 007-2020, which approves the Digital Trust Framework and provides measures for its strengthening (2020), Supreme Decree N° 029-2021-PCM approving the Regulation of Legislative Decree N° 1412 (Peru, 2021c), National Artificial Intelligence Strategy (ENIA) (Peru, 2021a), National Data Governance Strategy (Peru, 2021b) and Supreme Decree N° 157-2021-PCM (Peru, 2021d).

Procedural mechanisms for appeal and opposition to automated or similar decisions	Not proposed	-	-
Procedural mechanisms for appeal and opposition to automated or similar decisions	Not proposed	-	-
Institutional mechanisms			
Monitoring bodies	Proposed	Government	AI Observatory and monitoring units Origin: ENIA
Monitoring bodies	Under implementation	Government	Governance and Digital Transformation Committee Origin: R.M. 119-2018-PCM
Monitoring bodies	Proposed	Government	Observatory for the ethical and responsible use of data. Origin: ENIA
Monitoring bodies	Implemented	Sociedad civil	NGO on AI, Academia and Society Origin: Hiperderecho, Empatía Lab and ISICRI
Anonymous complaints channel and whistleblower protection measures	Not proposed	-	-
Compliance programs	Not proposed	-	-
Codes of conduct	Not proposed	-	-
Compliance officer	Under implementation	Government	Data Governance Officer and Personal Data Officer Origin: R.M. 119-2018-PCM
Best practices	Proposed	Government	Origin: National Data Governance Strategy
Protocols	Not proposed	-	-
Technical mechanisms			
Impact assessment	Proposed	Government	Socioeconomic and for classification of individuals Origin: ENIA
Standards	Proposed	Government	Promotion of international ISO certification for ethical use of data. Origin: National Data Governance Strategy
Algorithmic audit	Proposed	Government	Plan for data traceability and audits Origin: National Data Governance Strategy
Other (registration of algorithms and data sources)	Proposed	Government	Plan for data traceability and audits Origin: National Data Governance Strategy

Source: compilation by the authors (2021)

As regards legal mechanisms, no proposal was identified. On the other hand, there are AI monitoring bodies implemented by civil society for institutional mechanisms. Thus, the non-profit association Hiperderecho (Guerrero, 2020) has filed complaints about the use of biometric software employed by universities, and Empatía Lab informs about the ethical risks of AI at the behavioral level (Yachay Legal, 2020) and in the justice sector (Palestra - Canal Oficial, 2021). In addition, the Institute for the Information

Society and Fourth Industrial Revolution of La Salle University of Arequipa (ISICRI, n.d.) has the projects called “Observatory of Artificial Intelligence in the justice sector” and “Unraveling the thread of ArIAdna” to monitor the use of AI in the justice sector and in the public administration, respectively.

In addition, Ministerial Resolution No. 119-2018-PCM and the Regulation of Legislative Decree No. 1412 require each public sector entity to have the following mechanisms in place: (i) a Digital Governance and Transformation Committee in charge of supervising privacy compliance, establishing institutional guidelines, as well as managing the entity’s digital technology projects and (ii) the figures of the Personal Data Officer, responsible for compliance with personal data regulations, and the Data Governance Officer, who is responsible for ensuring the ethical use of technology and data, managing its use and reporting to the Digital Governance and Transformation Committee.

On the other hand, Supreme Decree No. 157-2021-PCM (Peru, 2021d) officially incorporates the National Center for Digital Innovation and Artificial Intelligence as a promoter of the deployment and use of AI. However, to date this entity does not have any supervisory or monitoring role; therefore, it is not considered as an institutional accountability mechanism.

At the proposal level, the National Artificial Intelligence Strategy (ENIA) (Peru, 2021a)¹³ proposes the creation of an observatory to prepare reports and indicators on the responsible use of AI, as well as a unit to monitor the ethical use of AI and another to monitor the effects of AI on the labor market. Likewise, the National Data Governance Strategy¹⁴ (Peru, 2021b) proposes the creation of an observatory for the ethical and responsible use of data and the development of good practice guides.

Finally, as regards technical mechanisms, the ENIA (Peru, 2021a) has proposals such as socioeconomic impact studies for cases of AI use in the public sector and classification of persons in the private sector, as well as a registry of AI algorithms and their data sources for the public sector. In parallel, the National Data Governance Strategy (Peru, 2021b) contains proposals such as the promotion of international ISO certifications for the ethical use of data, the implementation of audits and the development of a data traceability plan.

4.5. Uruguay

In general, from the review of relevant public policy instruments¹⁵, Uruguay has three mechanisms implemented and five under implementation, as detailed in Table 5.

¹³ Document prepared through a public consultation process that, as it is a working document, does not have a legally binding value; therefore, it is only considered at the level of proposals.

¹⁴ Idem.

¹⁵ Data Policy for Digital Transformation (2019), Artificial Intelligence Strategy for the Digital Government (2020a), Guide for the assessment of the Algorithmic Impact Study (2020b), and Uruguay Digital Agenda 2025 (2020c).

Table 5. Summary of IA accountability mechanisms in Uruguay

Type of accountability mechanisms	Status	Actor	Detail
Legal mechanisms			
New regulation and/or human rights recognition in the use of algorithms	Not proposed	-	-
Procedural mechanisms for reparation of damages	Not proposed	-	-
Procedural mechanisms for appeal and opposition of automated or similar decisions.	Implemented	Government	Right of partial opposition to fully automated personality assessment decisions, right of appeal and explanation against decisions that process personal data based on personality. Origin: Law 18331
Institutional mechanisms			
Monitoring bodies	Under implementation	Government	AI observatory and project monitor Origin: AI Strategy for the Digital Government
Monitoring bodies	Implemented	Civil society	NGO on AI and society. Origin: Datsoc and ILDA
Anonymous complaints channel and whistleblower protection measures	Not proposed	-	-
Compliance programs	Not proposed	-	-
Codes of conduct	Not proposed	-	-
Compliance officer	Not proposed	-	-
Best practices	Not proposed	-	-
Protocols	Not proposed	-	-
Technical mechanisms			
Impact assessment	Under implementation	Government	PPending an AI governance model. Origin: AI Strategy for the Digital Government
Standards	Under implementation	Government	Origin: AI Strategy for the Digital Government
Algorithmic auditing	Under implementation	Government	Origin: AI Strategy for the Digital Government
Other (Technical guides for the proper use of AI in the public administration)	Under implementation	Government	Origin: AI Strategy for the Digital Government
Other (Guide for the assessment of Algorithmic Impact Study (EIA))	Implemented	Government	Origin: AI Strategy for the Digital Government

Source: compilation by the authors (2021)

In reference to the legal mechanisms implemented, Law No. 18331 on Personal Data Protection and “Habeas Data” Action (Uruguay, 2008) recognizes in Article 16 the rights of i) opposition to automated decisions that generate a significant impairment and are

intended to assess aspects of personality, work performance, and reliability, among others, and ii) explanation and appeal against administrative or private decisions that assess the behavior of the person when their only basis is the processing of personal data based on their characteristics or personality.

As regards institutional mechanisms, civil society has implemented monitoring bodies such as Datsoc and the Latin American Initiative for Open Data (ILDA). Datsoc (2021) carries out dissemination activities on the use of algorithms and AI, taking a position against the use of automated content filters and in favor of the prohibition of this type of tools. For its part, ILDA has conducted research and monitoring work through policy briefs such as the one on the use of AI for automation in the public sector (Scrollini, 2020) and through the “Empatía” project¹⁶ (ILDA, n.d.), carried out in collaboration with the Latam Digital Center in coordination with the FAIR-LAC initiative, which seeks to expand knowledge on the use of AI to solve public problems.

Likewise, the Artificial Intelligence Strategy for Digital Government (E-Government Agency, 2020a)¹⁷ establishes the creation of the AI Observatory for follow-up and decision making on AI, and the creation of a project monitor in order to identify impacts as mechanisms under implementation. On the other hand, this strategy includes as a general principle that every AI-based solution must have an identifiable responsible person who can be held accountable for the consequences. However, no specific instrument is developed for its fulfillment; therefore, this principle is not considered as an institutional mechanism.

Finally, as regards technical mechanisms, the Guide for the assessment of the Algorithmic Impact Study (EIA) (E-Government Agency, 2020b) is a mechanism implemented through the Artificial Intelligence Strategy for Digital Government (Idem, 2020a). Likewise, this document contains several mechanisms under implementation, such as i) technical guidelines for the good use of AI in public administration, ii) performance of audits, iii) development of standards for AI systems and iv) impact assessments, with the development of this last mechanism being dependent on the definition of the AI governance model for the public administration.

16 Link to the project website: <https://www.empatia.la/>

17 Prepared through a public consultation process. This document starts by making visible the use of AI in the provision of public services and decision making, limiting its use when providing added value and meeting the criterion of privacy by design.

5.

Discussion

The mapping of accountability mechanisms for AI systems shows uneven development in each of the countries analyzed. Uruguay stands out as the only country with legal, institutional and technical mechanisms in place.

As regards legal mechanisms, they are only implemented in Uruguay and Argentina. The former through Law No. 18331 (2008), which includes the right to oppose fully automated decisions that assess personality and the right to appeal and explain such decisions when their only basis is automated processing. The latter by means of Law No. 25326 (2000), which establishes the prohibition of total automation for judicial and administrative decisions that assess human behavior and provide a definition of the profile or personality. It is noteworthy that in both cases the mechanisms belong to the personal data protection laws that provide some protection¹⁸ against the new challenges of AI and, in the case of Argentina, it is at the same time the subject of proposals to update regulations in order to have a more explicit protection that is similar to the GDPR.

Similarly, Colombia has a mechanism under implementation called Presidential Directive No. 03 (2021), which requires public entities to issue an annual accountability report on the development and implementation of AI, and in the case of Chile, the National AI Policy (2021) includes the use of affirmative actions to encourage the participation of women in the development of AI systems. In contrast, Peru is the only country that does not have proposals for legal mechanisms. Likewise, none of the countries proposed the right to a reasonable inference in the category of new regulation and/or recognition of rights.

With regard to institutional mechanisms, civil society has taken an active and leading role by having monitoring bodies implemented in all the countries analyzed. If this actor were excluded from the analysis, only Peru and Uruguay would have mechanisms in place, with Peru having the most mechanisms of this type: governance and digital transformation committee, data governance officer and personal data officer.

In reference to technical mechanisms, only Uruguay (Algorithmic Impact Study Evaluation Guide) and Colombia (Algorithm Register/Dashboard) have implemented mechanisms, while Chile has five mechanisms being implemented. The above is shown in Table 6.

¹⁸ Both regulations were enacted prior to the expansion of AI and, nevertheless, provide safeguards against the use of AI, albeit in a limited way when compared to the regulatory framework of the GDPR (e.g., right to explanation and/or human intervention before automated decisions).

Table 6. Global summary of accountability mechanisms

Country	Does the country have legal mechanisms implemented or under implementation?	Does the country have institutional mechanisms implemented or under implementation? (Not including civil society)	Does the country have institutional mechanisms implemented or under implementation, including only civil society?	Does the country have technical mechanisms in place or under implementation?
Argentina	Yes	No	Yes	No
Chile	Yes	Yes	Yes	Yes
Colombia	Yes	No	Yes	Yes
Perú	No	Yes	Yes	No
Uruguay	Yes	Yes	Yes	Yes

Source: compilation by the authors (2021)

On the other hand, at the level of proposals, the government is the main promoter of institutional and technical mechanisms in all the countries analyzed, as it has the largest number of proposals in these categories.

At this same level, some differences between countries can be observed. For example, Colombia stands out for proposing the creation of an international council as a monitoring body, while Chile emphasizes the gender approach to AI systems through legal (affirmative actions), institutional (best practices for gender equity) and technical (baseline for gender participation) mechanisms, as well as the actions of civil society organizations.

In addition to the above, one of the main differences is the scope of the proposals since most of the countries analyzed develop their mechanisms with public administration entities as the beneficiaries. In contrast, Peru proposes impact studies on the use of algorithms for the classification of persons by private parties. Likewise, Chile proposed to require (private) providers to mitigate AI risks and to have an internal structure for the review and remedy of automated decisions for the protection of consumers. However, when moving from the proposal to the implementation level, said obligation has been nuanced and its scope has been limited to the configuration of algorithms used by providers.

In addition, common concerns have been identified, such as the impact of AI in the labor field (Argentina, Chile, Colombia and Peru), shared mechanisms such as the creation of registries or public repositories of algorithms (Argentina, Colombia and Peru), specialized AI observatories (Argentina, Colombia, Peru and Uruguay), best practices (Argentina, Chile, Colombia and Peru), as well as mechanisms shared by all countries (use of standards for AI systems).

As for the private sector, none of the countries analyzed identified mechanisms implemented, under implementation or proposed¹⁹ as regards the publicly accessible information. Their participation has been limited to the proposal of ethical principles²⁰

¹⁹ In the case of Chile, the requirement for (private) providers is a proposed National Artificial Intelligence Policy prepared by the Chilean government.

²⁰ Example: IA-LATAM Declaration of Ethics for the design, development and use of artificial intelligence (n.d.) that establishes a list of ethical principles for AI in Latin America.

or interaction²⁷ with the mechanisms proposed by the governments of the countries analyzed.

Finally, the present research contributes to a better understanding of the governance of AI systems and the implementation of ethical principles in Latin America by mapping accountability mechanisms and their current development. However, the research has the following limitations: i) it has not been able to analyze the status or accountability mechanisms applicable in the private sector, given the lack of publicly accessible data on the internal processes of companies in the region, ii) the level of progress in the implementation of governmental accountability mechanisms could not be determined in a documented manner as such information is not available, and iii) the present study only presents a mapping of accountability mechanisms, but the creation of indicators to compare the relative performance of countries is beyond its scope. Further studies should be carried out to compare accountability mechanisms for AI systems between countries, as well as the legal, social or institutional difficulties or barriers that may affect their development.

²⁷ Example: the Association of Chilean Technology Companies (Chiletec, 2021) commented on Chile's National AI Policy.

6.

Conclusions

The research question of this study was: What are the accountability mechanisms for AI systems that have been proposed, implemented or under implementation in Latin America? After the review of sources and the analysis carried out, it was determined that there is a disparate development of accountability mechanisms in the countries analyzed, with Uruguay being the only country that has implemented the categories of legal, institutional and technical mechanisms.

With the exception of Uruguay and Argentina, none of the countries analyzed has legal mechanisms implemented, and in these countries the mechanisms are rights before automated decisions pertaining to their personal data protection regulations. Chile and Colombia have legal mechanisms under implementation, and Peru is the only country that does not have any proposed legal mechanisms.

In relation to institutional mechanisms, civil society is the main actor in this category, as it possesses monitoring bodies implemented in all the countries analyzed, with Peru being the country with the most mechanisms of this category under implementation.

In terms of proposals, the government is the main actor in the categories of institutional and technical mechanisms in all the countries analyzed, while the private sector has no mechanisms implemented, under implementation or proposed in any of the categories.

On the other hand, Chile emphasizes the gender approach and the government's work to encourage (private) providers to use algorithms that have internal review and remediation structures in the context of automated decisions for consumer protection. Chile, together with Peru (which proposes impact studies on the use of algorithms for the classification of persons by private parties), are the only countries with technical mechanisms in relation to the activity of private actors. The rest of the countries focus exclusively on the activity of the public administration.

However, despite their differences in mechanisms and state of implementation, there are points of convergence such as the creation of a public registry of algorithms (Argentina, Colombia and Peru), of observatories on AI (Argentina, Colombia, Peru and Uruguay) and, at the global level, the use of standards for AI systems is repeated as a proposed mechanism, as well as the concern for monitoring the impact of AI in the labor field.

5.

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