

SIXTH MULTI-STAKEHOLDER ROUNDTABLE ON ARTIFICIAL INTELLIGENCE REGULATION IN COLOMBIA: "IA AND ITS IMPLICATIONS FOR DEMOCRACY".

GENERAL INFORMATION

Organisers:	Alberto Lleras Camargo School of Government of the Universidad de los Andes and the Department of Law, Communications and Information Technologies of the Universidad Externado de Colombia, in alliance with the Corona Foundation and with the support of the National Registry of Civil Status.
Objective:	To analyse and debate the implications of artificial intelligence for democratic processes in Colombia, identifying the challenges and opportunities presented by this technology.
Methodology:	Dialogue and deliberation in a plural, inclusive and respectful environment. Face-to-face and live streaming via YouTube.
Participants:	<ul style="list-style-type: none"> 50 participants in the face-to-face event: from the three branches of government (Congress of the Republic, National Government and the Judiciary), civil society organisations, academia, business and trade organisations. 258 participants on YouTube and the X platform.
Date:	28 October 2024, 09:00 a.m.– 12:00 p.m.
Location:	SD1003 Auditorium, Santo Domingo Building , Universidad de los Andes.

AGENDA

8:30 am - 9:15 am	Registration and Welcome by Professors Juan David Gutiérrez and Sandra Ortiz.
9:15 am - 10:15 am	<p>Expert panel on the implications of AI for democracy.</p> <p>Panellists:</p> <ul style="list-style-type: none"> Rafael Vargas - Registrador Delegado en lo Electoral, Registraduría Nacional. Mauricio Vera - Commissioner, Commission for Regulation and Communications. Diana Dajer - Manager of Citizen Participation, Corona Foundation. Carlos Cortés - Executive Director, Green Lantern.

10:15 am - 10:30 am	Voting to prioritise issues to be addressed at working tables (via Menti) and break for refreshments.
10:35 am - 11:10 am	Work tables. Face-to-face attendees are divided into 5 to 7 working groups to discuss specific challenges and the feasibility or otherwise of addressing them through regulatory solutions.
11:10 am - 11:50 am	Presentation of conclusions. Representatives explain the conclusions reached by the team.
11:50 am - 12:00 pm	Closing remarks.

REPORT/MEMORIES OF THE SIXTH MULTI-STAKEHOLDER ROUNDTABLE ON IA REGULATION IN COLOMBIA AND ITS IMPLICATIONS FOR DEMOCRACY¹

1. WELCOME AND OPENING OF THE EVENT

1.1. INSTALLATION OF THE EVENT

The Multi-stakeholder Working Group on the Regulation of Artificial Intelligence (AI) in Colombia was jointly organised by the Universidad de los Andes and the Universidad Externado de Colombia, in alliance with the Fundación Corona and with the support of the Registraduría Nacional del Estado Civil.

This session addressed the topic of "AI and its Implications for Democracy" and took place within the framework of the Democracy Week promoted by the National Civil Registry. The event was held in person at the Universidad de los Andes and was broadcast live on the [YouTube channel](#) of the School of Government of the Universidad de los Andes and simultaneously transmitted through the X platform.

The session was opened by Juan David Gutiérrez, professor at the Alberto Lleras Camargo School of Government at the Universidad de los Andes and Sandra Ortiz, director of the Department of Telecommunications and IT Law at the Universidad Externado de Colombia.

Professor Juan David began by welcoming the participants to the roundtable and presented the agenda of the session. He then explained that this day would be divided into three parts: in the first, key issues related to the theme of the event would be presented; in the second, participants would be organised into working groups to discuss topics previously selected with the Menti tool; finally, in the third part, each group would discuss a specific topic to reach conclusions that would be shared in plenary.

He also recalled that the conclusions of the roundtables are recorded in a report, which will be published anonymously under Chatham House rules, in order to guarantee a free space for dialogue without direct attribution to the participants.

Professor Ortiz then recalled the work that has been developed with Professor Juan David to generate spaces for reflection and analysis on the implementation of artificial intelligence (AI) in Colombia. She highlighted that, through these initiatives, they have sought to contribute from the academic sphere to the construction of a normative and regulatory framework to guide the use and development of AI in the country. She also pointed out that the work in the multi-stakeholder roundtables is aimed at studying draft legislation in this area, and we have gone from five bills

¹ This document was drafted by Michelle Castellanos-Sánchez and then complemented and revised by Professor Juan David Gutiérrez and Professor Sandra Ortiz. For more information on the multi-stakeholder working group, please contact Professor Juan David Gutiérrez, email: juagutie@uniandes.edu.co.

last year to at least a dozen at present, which is evidence of a growing interest in the legislature to address the issue. In parallel, Professor Ortiz mentioned that these spaces have not only focused on legislative initiatives, but also on other regulatory instruments and public policies related to AI.

In turn, Professor Ortiz stressed that one of the central aspects of the work carried out over the last year in the multi-stakeholder roundtables has been the construction of a diagnosis of the AI landscape in Colombia, in order to identify the main issues to be addressed in this area. This initial diagnosis made it possible to organise the discussions around key aspects such as: "AI and Intellectual Property", "AI and Justice", "Bills on AI in Colombia" and Bill 447 of 2024 House, "Whereby provisions are issued for the provision, exchange and use of the data infrastructure of the Colombian State (IDEC) and the interoperability of the information systems of public entities".

For this session of the multi-stakeholder roundtable, the organising universities considered it important to explore the implications of AI for democracy and organised this session in partnership with the Corona Foundation.

2. EXHIBITIONS ON THE IMPLICATIONS OF ARTIFICIAL INTELLIGENCE FOR DEMOCRACY

2.1. PRESENTATION BY RAFAEL VARGAS - DELEGATE REGISTRAR FOR ELECTORAL MATTERS OF THE NATIONAL REGISTRY OFFICE

The speaker, Rafael Vargas, began his presentation by sharing that his views on Artificial Intelligence (AI) are ambivalent, particularly with regard to its impact and future. Throughout his presentation, he detailed both his personal and professional experiences, which have allowed him to reflect on the evolution of technologies and their implications, especially in the electoral field. He stressed that his career has been closely linked to electoral processes, which led him to question how AI can transform or influence democratic practices. Although the voter traditionally casts his or her vote on a ballot paper or through a machine, the speaker invited to reflect on the new possibilities that AI could offer in these contexts.

In his presentation, the speaker presented two contrasting views on the impact of new technologies on democratic processes. On the one hand, he addressed the optimistic perspective, acknowledging that these technologies have the potential to improve efficiency and transparency in electoral processes. However, he also expressed his concerns, noting that there are risks that could compromise democracy. In particular, his concern focused on the possible negative effects that AI could have on the integrity and fairness of elections.

To frame his presentation, he quoted the words of Geoffrey Hinton, one of the pioneers in the field of AI, who compares its impact to the Industrial Revolution. However, unlike the latter, he said, "AI does not excel humans in physical strength, but in intellectual capacity". This comparison served to illustrate the degree of transformation that AI is bringing about, causing both optimism and concern, especially in terms of its influence on society and labour sectors.

The speaker highlighted that, despite potential concerns, AI also has great positive potential, especially in the area of planning. In his case, from the National Registry of Civil Status, they have started to integrate AI as a key tool to improve "informed public management". He pointed out that, in the public sector, one of the main criticisms is the lack of adequate planning, and that, in this context, AI could become a key ally to improve this aspect.

One of the challenges facing the public sector, particularly in electoral processes, is the efficient management of time and information. The speaker mentioned that, in the Registrar's Office, the use of traditional tools such as Excel tables becomes inefficient to process the large amount of data needed for election planning. The implementation of AI, then, not only streamlines processes, but also allows for greater accuracy and better management in strategic decision making, which is crucial in the electoral field.

In his intervention, he highlighted how the country conducts elections on a continuous basis, with a constant cycle of consultations, plebiscites, referendums, local and national elections, etc. He indicated that for 2023, more than 196 electoral processes were registered between November and December, reflecting the complexity and fast pace of the electoral process.

Therefore, the speaker stressed that, due to the high demand for electoral processes, the key to managing this workload lies in optimisation through the use of technological tools. He highlighted the fundamental role that data analytics and AI have played in the modernisation of election management. According to him, the collection and analysis of data in real time has allowed the creation of predictive models that facilitate decision-making around electoral logistics, accessibility of polling stations and coverage of the different territories.

One of the examples, which is being carried out in the Registraduría, the speaker described, is the development of a "hoja de vida" for polling stations, which not only records basic information, but redefines it as an "institutional offer" that responds to the real needs of the citizenry. This approach allows for improving the quality of the electoral process by identifying accessibility limitations in rural, ethnic or special geographic areas, such as Afro-descendant or indigenous communities. The above information allows for the generation of heat maps that show precisely which areas require additional attention in terms of infrastructure and resources.

The speaker explained that before the introduction of AI, problems, such as lack of accessibility or infrastructure at polling stations, were only detected months before the elections, which limited the possibilities for response. However, with the new technology, alerts can be generated much earlier, allowing local authorities, such as mayors, to act in advance.

He also highlighted the Registraduría's use of biometrics at polling stations to analyse data on voter behaviour and voting times, as this data analysis is essential to create a predictive model to improve the voter experience. The speaker referred to the factors that commonly discourage participation, such as laziness or the inconvenience of having to vote on a Sunday, and proposed that the use of AI would help to find more efficient and attractive ways to encourage citizen participation.

Finally, the speaker underlined how AI is transforming "election planning", allowing for improved processes to ensure a smoother and more reliable experience for all citizens. He reiterated his optimism about the potential of these tools to make elections more accessible and efficient, assuring that, although there are still details to be fine-tuned, the progress is remarkable and promising for the future of the electoral system.

2.2. PRESENTATION BY MAURICIO VERA - COMMISSIONER, REGULATION AND COMMUNICATIONS COMMITTEE

The speaker began by mentioning that the Communications Regulation Commission (CRC), of which he is a commissioner, carries out work linked to democracy and plurality of information, which not only has a political impact, but also a cultural and social impact. As a first point of reflection, he pointed out that, in the survey presented at the event, two significant aspects emerged that deserve attention. One is the absence of the media as a key player in the debates on democracy and technology. Although the media play a key role in the distribution of content and the formation of public opinion, they are not often recognised in these spaces.

The second aspect related to AI is the disconnect between theoretical concern and practice. The speaker shared recent experiences of working with media and government actors, where the topic of AI has not emerged as a priority or central theme. These included discussions with the Ministry of Information Technology and Communications and private television channels, where the word AI was not considered relevant, even in the context of election periods, which in Colombia are of high media relevance.

Similarly, at the recent "Encuentro de Televisión Pública de Colombia, Venezuela y las Antillas" the speaker stressed that AI was not addressed, despite the participation of media from several countries in the region. He also mentioned a conversation with Dago García, a renowned producer of soap operas, who stated that he does not yet see the need to incorporate AI in content production. Finally, at COP 16 Colombia in a dialogue with 1529 small and large media outlets from across the country, which took place a day earlier, AI was also not mentioned, but rather the need to integrate "emotional intelligence" in order to address local media challenges.

The speaker reflected on how the actors involved in the discussion on democracy and technology tend to be those from academia and the public sector, while key actors such as the media are excluded from these conversations. He stressed that it is fundamental to understand the role of the media in democracy and plurality of information, and how content regulation should ensure that the constitutional mandate of "pluralism of information" is fulfilled.

He then presented a series of images that illustrate how, in his view, contemporary democracies operate through the media. Referring to the work of contemporary artists such as John Brosa, he highlighted the work *Eclipse*, which shows a fried egg covering a host. He used this visual analogy to highlight the complexity of the relationship between media and democracy. He explained that this interaction takes place in two dimensions: the "rational and legal dimension", represented

by the host, which encompasses the regulatory framework and the transmission of truthful information, and the "emotional and symbolic dimension", represented by the egg, which relates to the way in which the media influences public perception.

In the latter, human beings, both individually and collectively, are often more susceptible to information that appeals to emotions, rather than pure rationality. This is because misinformation, in part exacerbated by the use of AI tools, focuses on mobilising that emotional dimension, achieving a stronger impact on audiences.

In turn, the speaker used a visual metaphor to explain the construction of reality in the media. To illustrate this, he presented the work *The Human Condition* by René Magritte, in which the difficulty of distinguishing between the landscape painted in a painting and the real landscape that inspired the work is raised. This analogy was used to show that the media do not simply reproduce external reality, but create it in an intentional and editorialised way. In this sense, the media do not act as a "mirror" of reality, but as an interpretation of it, and this process of construction is also present in the use of AI.

Following this, the speaker addressed the historical and regulatory context of television in Colombia, mentioning that this year marks 70 years of television in the country. He stressed that media regulation in Colombia is still limited to television, as the rapid growth of digital environments was not anticipated. In this sense, current legislation does not cover full regulation of digital media, although there are efforts and draft laws to expand regulatory powers in this regard.

The speaker also highlighted the impact of television on cultural democracy, citing examples of productions that have reflected diversity and pluralism in Colombian society. He mentioned programmes that addressed issues such as sexual orientation, the image of women and the inclusion of people with disabilities, highlighting that television has played an important role in giving visibility to different social realities.

To illustrate how Colombian television has dealt with pluralism, a video produced by Señal Memoria was presented, showing how television content has reflected the diversity of Colombian society over time. In contrast, a video was presented based on an AI tool that sought to represent the concept of pluralism of information in Colombia. The aim was to question whether AI really captured the complexity of Colombian diversity. The speaker reflected on this point that, although AI can theoretically define pluralism, it fails to reflect the cultural and affective richness that characterises Colombian society, as traditional media do.

Finally, the speaker called for reflection on the risks and challenges that AI poses for media content, especially in cultural terms. He stressed that AI, when not developed from a home-grown and local perspective, can generate constructions of reality that do not connect emotionally with audiences, which endangers the authenticity and credibility of the information. He also suggested that, in the future, it is necessary to work on developing home-grown technologies to ensure that

media content and narratives constructed through AI are more representative of local cultural realities.

2.3. PRESENTATION BY DIANA DAJER - MANAGER OF CITIZEN PARTICIPATION, CORONA FOUNDATION

The speaker, manager of citizen participation at Fundación Corona, presented three main areas of work that her organisation is promoting to strengthen democracy and mitigate the risks associated with the use of AI.

- **First point: Visibilisation of the relationship between AI and democracy:**

The speaker underlined that, despite the regulatory efforts being made in Colombia in relation to AI, democracy has been notably absent from public debates and policy-making processes. To illustrate this, he mentioned that the draft public policy on AI being developed by the National Planning Department (DNP) did not contemplate the democratic dimension, nor the implications of AI on fundamental processes such as elections. Likewise, he highlighted how the draft laws on AI being processed in the Congress of the Republic also omit to address the relationship between AI and democracy.

Given this absence, the speaker emphasised that the Corona Foundation has sought to promote the visibility of the impact of AI on democracy through various spaces for dialogue. One of the most recent efforts was the collaboration with the National Civil Registry within the framework of Democracy Week, to discuss the regulation of AI in relation to electoral processes. In addition, he mentioned that the Foundation has worked together with other organisations such as Wingu and the Konrad Adenauer Stiftung Foundation to carry out pilot spaces where practical solutions to the problems that AI creates for democracy can be explored.

- **Point 2: Broadening the governance of AI regulation and public policy**

The second key point in the speaker's intervention was the need to broaden the governance of AI regulation and public policy. The speaker explained that in the aforementioned drafts - DNP's and Congress' - the governance of AI is limited to institutional actors, without sufficiently considering the participation of other relevant actors, such as academia, the private sector and civil society.

In this regard, the speaker stressed that it is essential to create spaces for collaboration between all social actors in order to enrich the governance of AI. In particular, she referred to methodologies of democratic innovation, such as "deliberative citizens' assemblies", which allow for a broader and more representative participation of citizens. These assemblies, inspired by ancient Greek mechanisms, consist of randomly and representatively selecting a group of citizens to deliberate on crucial issues. In the context of AI, such methodologies could ensure that the voice of the population, especially those directly impacted by AI, is heard in the formulation of public policy.

The speaker also mentioned that, globally, Belgium has already implemented a deliberative assembly on AI, which represents a model that the Corona Foundation seeks to replicate, starting with a project focused on mental health and AI with young people in Barranquilla.

- **Third point: Protection of rights and the potential of AI in democracy**

The third point addressed by the speaker focused on the rights that AI affects in the context of democracy, as well as the opportunities that this technology can offer. In particular, she focused on "freedom of information", a fundamental right that is threatened by the use of AI tools to amplify disinformation and manipulate public opinion. The spread of fake news and the manipulation of the electorate through misleading content are obvious risks that can have a negative impact on electoral processes and public trust.

However, the speaker also stressed that AI has great potential to amplify information in a positive way in democracy. As an example of this, she mentioned the project "Match Electoral", developed in collaboration with Cifras y Conceptos, El Espectador and Fescol, in which a digital tool was designed that allowed voters to compare the proposals of local candidates with their own interests and concerns. This application helped to promote a more informed vote, and the subsequent evaluation revealed that voters who used it showed a greater ability to discern based on policy proposals, rather than solely on the image or perception of the candidates.

Such AI-based tools with transparent algorithms, she concluded, are examples of how technology can be used to enhance democracy, promoting informed participation and improving the quality of the vote.

2.4. PRESENTATION BY CARLOS CORTÉS - GREEN LANTERN EXECUTIVE DIRECTOR

The speaker began his presentation by briefly introducing Green Lantern, the organisation he heads, and explaining its work in monitoring and analysing conversations in social networks and other digital spaces. He stressed that the aim of the organisation is to help civil society to better understand the dynamics of public participation. In addition, he explained that Green Lantern's work focuses on the study of narratives, actors and digital spaces where discussions take place, a crucial task in a context marked by the increasing fragmentation of conversations.

He went on to highlight that *Green Lantern* has an approach that lies at the intersection of three key areas: democracy, journalism and social media. In this regard, he posed a central question: "How can a civil society organisation position itself to contribute meaningfully to the debate on AI and its impact on society?" This question served as an introduction to the issue of disinformation, especially in relation to the risks associated with AI and its use in the creation of synthetic content.

Carlos referred to studies showing the impact of AI and automated tools, not only in the generation of fake news, but also in its use by journalists themselves. He mentioned that many

media outlets are starting to use AI tools, but they are also facing the challenge of covering and dealing with misinformation. In this context, he highlighted the concept of "*snake oil syndrome*", which refers to the tendency to exaggerate or make unfounded claims about AI capabilities, which do not always contribute to an accurate understanding of their implications. This, in turn, makes it difficult to focus the debate on concrete solutions.

In addition, the speaker called for the exploration of initiatives such as *Circuito*, one of the platforms promoted by *Green Lantern*, which aims to analyse the relationship between technology, democracy and social networks, with a particular emphasis on content moderation. This initiative seeks to understand how platforms are responding to the challenges posed by automated synthetic content, and the use of AI systems such as *chatbots*.

Regarding the approach journalism should take to disinformation, Carlos recalled how *Green Lantern* emerged in 2017-2018, at a time marked by the *Cambridge Analytica* scandal and widespread concern about digital manipulation. During that time, many organisations focused on fact-checking, and *Green Lantern* was also involved in this work, confident that this would disprove lies and increase the cost to those spreading false information, and that public discussion would become more organised. Over time, however, they realised that this approach had limitations, especially when political actors and *influencers* do not show a loyal relationship to the facts.

The speaker argued that, despite efforts to verify information, the real challenge lies in the political and social context in which the debate takes place. He cited examples such as the US presidential election and recent claims by politicians who, even in the context of verified disinformation, continue to promote unfounded theories of electoral fraud. This situation demonstrates that, while fact-checking is crucial, acceptance of truth and fidelity to facts depend to a large extent on pre-existing power structures and beliefs in society.

Carlos argued that disinformation in the context of AI is a phenomenon that, while it enhances existing problems, is not necessarily transforming the underlying dynamics. He mentioned that similar effects have already been observed in elections in other countries such as Argentina and Mexico, and noted that while the use of AI in manipulating information is a legitimate concern, the problem lies in how we relate to information and how platforms and users manage their interaction with it.

The speaker also addressed the issue of authenticity in digital content, noting that the growing distrust of information creates a dilemma about how to verify authenticity on social networks. He mentioned that some academics speak of "identification architectures", which suggest that, in order to ensure authenticity, platforms should require greater verification of users, including such stringent measures as identity authentication. However, this raises questions about the impact this practice would have on freedom of expression and citizen participation.

Finally, the speaker concluded with a reflection on the role of technology platforms in content moderation and their relationship with democracy. Although platforms have been under pressure

to tag content and sanction misinformation, there is a growing debate about whether these platforms should take such a proactive role in managing public debate. In this sense, Carlos suggested that *Green Lantern* seeks to contribute to this debate, without necessarily specialising in AI but rather exploring the broader impact it has on society and democracy.

3. QUESTION AND ANSWER SESSION WITH THE PANELLISTS

At the end of this panel, participants were invited to ask questions to the speakers. Around ten questions were registered from members of academia, the public sector and the private sector. The questions raised during the day are presented below:

Academy

- How can the principle of algorithmic transparency be fostered in such discussions? What would be an example of the materialisation of the principle of algorithmic transparency?
- Who would be responsible when there are unexpected results in the use of AI? Is the blame to be attributed to the AI or to the people who implemented the system?
- Are there any diagnostics on the use of AI in the public and private sector?
- How can AI use be more democratic, how can its application be more representative?

Private sector

- Would they be willing to let themselves be governed by an AI?
- How do the actors involved in the development and implementation of AI systems impact the mental health of end-users? What are the boundaries and responsibility of the entire AI production chain?
- To what extent does the regulation associated with electoral processes address limitations to avoid unfair competition practices? In this regard, in the context of AI implementation, how could it be ensured that all candidates have a level playing field?

Public sector

- What would be the reflection on the inequality, in terms of capabilities, that the use of artificial intelligence by civil servants may generate?
- From the position of each panellist, how does your organisation understand democracy?

Following the questions, each speaker was given the opportunity to answer questions of his or her choice.

3.1. COMMENTS BY DIANA DAJER

The round of responses began with the speaker Diana Dajer, who began her intervention by highlighting the plurality and diversity of the questions posed, which she considered to be a reflection of the importance of generating a space for open and in-depth conversation on the issues in question. She acknowledged that many of these questions do not have clear or definitive answers, and emphasised that in-depth deliberation between different actors is crucial to reach a consensus that allows for better governance of AI.

She focused in particular on the question of "What is democracy?" and, within that framework, addressed issues such as accountability, inequality, mental health and democracy in the use of AI. In her speech, Diana offered both a broad and a narrow view of democracy.

On the one hand, the speaker began by explaining the concept of democracy in a narrow sense, referring to it as a system of government based on popular sovereignty, where citizens have the power to make public decisions, either directly (e.g. through referendums, prior consultation or plebiscites) or indirectly, by electing representatives in elections (presidents, mayors, governors, etc.).

Diana Dajer then expanded the definition of democracy in a broader sense, pointing out that democracy depends not only on the mechanisms of direct or representative political participation, but also on the fundamental pillars that sustain it. This is where she underlined the importance of AI, as its mismanagement could affect these essential pillars. Diana mentioned three key pillars that underpin democracy, and how AI could negatively impact them if not managed properly:

- **Rule of Law:** He stressed that a robust rule of law is essential for democracy. If AI systems are used in the public sector in an opaque manner, without standards of "algorithmic transparency", this can hinder the ability to verify that public officials are acting in accordance with the law. This lack of transparency can be an open door to manipulation and the erosion of public trust.
- **Fundamental rights:** In the context of AI, Diana talked about how people's fundamental rights, such as the right to privacy and the right to access public information, can be compromised. She mentioned examples such as the use of algorithms to determine access to public services, where it is often not known how these decisions are made and whether they are respecting citizens' rights.
- **Equality before the law:** Diana also highlighted that, in the current context, there are already technological and digital divides that prevent equal access to public services. For example, the requirement to create a digital wallet to access certain government services can leave out sectors of the population that do not have access to technology or computer literacy, leading to inequality before the law.

However, the speaker also mentioned some specific challenges that arise in a democracy in the strict sense when it is influenced by AI:

- **Transparency in electoral campaigns:** He emphasised the need for clear and transparent rules to ensure that candidates compete on a level playing field. He mentioned the lack of transparency in campaign financing, especially on social media, where the sponsors behind certain messages or influencers are often unknown. This creates a scenario where citizens can be unknowingly manipulated.

- **Disinformation:** Disinformation is another risk raised by the speaker when using AI in the electoral arena. In her view, if information is not free, unbiased and verifiable, it risks manipulating public opinion and distorting democratic processes.
- **Transparent systems:** Finally, Diana pointed out the challenge of implementing transparent e-voting systems, warning about the risks of not having clear and auditable mechanisms in electoral systems. If the algorithms that manage the votes are not transparent, there could be a danger that the electoral process could be manipulated.

3.2. COMMENTS RAFAEL VARGAS

On the other hand, the panellist Rafael Vargas mainly reflected on the existing barriers in the regulation of AI. For him, one of the biggest difficulties lies in the impact of AI on people's mental health. He highlighted how new technologies, especially in the electoral field, are altering public perception and modifying traditional paradigms. He mentioned how, in many countries, election polls are no longer the focus of discussion, but have been replaced by AI forecasts, which have the power to influence voters' opinions, even affecting their emotional well-being.

In this context, Rafael Vargas highlighted an emerging problem: the stress generated by continuous exposure to AI-fuelled news and forecasts. He emphasised that the influence of the media, powered by algorithms, is altering the way people perceive electoral processes, generating anxiety and distorting democratic debate.

In relation to democracy, Rafael Vargas made a broader reflection, stressing that democracy is not only limited to the act of voting, but must be understood as an exercise of rights and freedoms. The inclusion of all people, regardless of their conditions, is essential for the full exercise of democracy.

He also noted that AI could be a useful tool to ensure more equitable access to information and to the electoral process, allowing people with disabilities or those who speak different languages to participate more informed and freely in democratic processes.

However, he warned that AI, in its current use, is creating barriers that are difficult to overcome, such as the creation of artificial content in media, videos and virtual *influencers*. These technologies allow the creation of virtual realities so convincing that it is increasingly difficult to distinguish between what is generated by a human being and what is the product of an algorithm.

Rafael also addressed the issue of freedom of expression, which is one of the rights most affected by the use of AI in the media and social networks. He made a legal reflection on the need to weigh this right against other interests, such as protection against disinformation and electoral

manipulation. On this point, he highlighted the difficulty of establishing a clear limit as to what should be regulated, as this is a field in constant evolution. In his view, we are still in a phase of constructing those boundaries, and finding a balance between freedom of expression and the regulation of AI-generated content will be a complex challenge.

3.3. COMMENTS BY MAURICIO VERA

Panellist Mauricio Vera offered a reflection on several key aspects related to media regulation, democracy, freedom of expression in the context of AI implementation. Below is a summary of the most important points addressed by the speaker:

- **Democracy and media pluralism**

The speaker spoke about the relationship between democracy and the regulatory framework, underlining that the CRC, in its regulatory exercise, seeks to guarantee freedom of expression and freedom of enterprise. These two freedoms are essential for media pluralism, which implies the existence of both multiple media and diverse content.

However, he raised some challenges in trying to define what constitutes a media in the digital age. For example, he asked whether a *Tiktok*er should be considered a media with social responsibility vis-à-vis the state, an issue without a clear definition in ICT sector glossaries. This phenomenon, as he put it, complicates the regulatory exercise, as every citizen can become a "potential media outlet", which can hinder transparency in regulation.

Mauricio Vera also pointed out that the CRC's regulatory exercise focuses on traditional media, not digital networks, but stressed that it is crucial that the content disseminated in media and networks follows principles of general interest and public interest, especially when citizens have the power to impose issues on the media agenda.

- **Regulation and technological challenges**

Analogous to the warnings about violence or sexual content that some TV programmes include, the speaker suggested the inclusion of warnings on content that makes use of automated systems or AI in its creation. This warning would aim to inform the audience that the content they are viewing has been partially or completely generated by algorithms or automated processes, thus allowing for greater transparency and awareness among viewers.

In addition, Mauricio Vera explained that current ICT regulation is based on ex post interventions, i.e. after the content has already been broadcast. However, emerging technologies such as AI pose a greater challenge, as regulation should anticipate content creation processes. This implies,

according to the speaker, an ethical dilemma about how to intervene in the processes without infringing rights such as freedom of expression.

He also mentioned the importance of self-regulation or correlation, according to the models promoted by UNESCO. However, he pointed out that self-regulation is not always effective, and in certain cases a stricter intervention scheme is necessary.

- **Right of access to information and the role of the state**

Mauricio Vera stressed that access to information is a fundamental right that must be guaranteed, because when it is restricted, citizens lose the ability to act in an informed manner in a democratic government. At the state level, the speaker recalled that the CRC is working on regulating issues such as opposition participation in the media and other policies related to media access.

- **Media literacy**

Finally, Mauricio Vera referred to the importance of media literacy as one of the three fundamental pillars identified by UNESCO for the governance of digital platforms. He stressed that if citizens are not empowered and cannot make informed decisions about the transparent content they consume, any regulatory effort will be less effective. Therefore, media education and transparency in the use of algorithms become essential to ensure a healthy democracy in the digital age.

The speaker ended with a reflection on the future of AI in governance. He agrees with other experts, such as Rafael and Diana, that a scenario where AI governs completely would not be ideal, as it could threaten fundamental principles such as democracy and freedom of expression.

3.4. COMMENTS BY CARLOS CORTÉS

The speaker began by highlighting the importance of two key issues: algorithmic transparency and the relationship with democracy. Drawing on his experience in the field of transparency and access to information, he reflected critically on the concept of "transparency for transparency's sake". He pointed out that, although transparency can be seen as a tool that facilitates accountability, it does not in itself guarantee a better conversation or real change in decision-making. In his view, transparency is not an end in itself, but a tool whose impact depends on how it is optimised and used.

On the other hand, he also referred to the concept of the "Brussels effect", referring to the influence of the European Union from the regulation it issues and which then has an impact on the rules adopted around the world. In particular, he referred to how the EU's risk-based approach to AI regulation appears to be influencing regulatory debates in other countries. This approach, according to him, might be useful for certain sectors, but does not solve the structural problems faced by Latin America, especially in terms of auditing algorithms and access to data. He criticised the complexity and inefficiency of processes related to transparency, especially when it comes to auditing algorithmic systems in sectors such as education or social networks. Here, he

raised the question of the usefulness of the data obtained in these auditing processes: "how can we use it to generate concrete changes in the way algorithms operate?"

In his analysis of algorithmic transparency, he highlighted the case of AI applied to chatbots and social networks, pointing out the risk of opacity in their operations and the possible generation of algorithmic biases that could affect the fairness of the systems. He stressed the importance of making information about these algorithms not only accessible, but also understandable and useful for users, so as to promote a practical application of transparency that allows people to make informed decisions and question the operation of these systems in an effective way.

Finally, he touched on the issue of democracy, arguing that AI and algorithms can be seen as tools to both strengthen democracy and undermine it, depending on how they are used. He called for thinking about how digital tools, including AI, can contribute to the creation of a "common denominator" that facilitates access to information and fosters better public deliberation. In this regard, he reflected on freedom of expression, suggesting that it should be understood not only as an individual right, but also as a collective dimension, helping to strengthen democracy and public participation.

4. CONCLUSIONS OF THE DIFFERENT WORKING GROUPS

In the last part of the event, participants were divided into working groups to discuss previously selected topics with the Menti tool. Afterwards, a representative of each group presented the conclusions in plenary.

4.1. WORKING GROUP ONE: ON THE USE OF THE IA FOR STATE PERFORMANCE MONITORING

The first group to discuss the use of AI in the monitoring of state activity presented its conclusions, which focused on the challenges and potentials that this technology offers for the control and supervision of the public sector.

The group's representative underlined the remarkable potential of Artificial Intelligence (AI) for its application in the monitoring of state activity. Although AI is still a relatively emerging technology, it has proven to be effective in a number of areas, especially in the field of public procurement. He stated that there are tools and systems under development that have shown promising results, which could significantly contribute to the optimisation of the monitoring and control of procurement processes within the public sector.

It was also highlighted that AI has the potential to be a key tool in the fight against corruption, by facilitating the monitoring of complaints, judicial processes and information from prosecutors' offices. This would provide a more comprehensive view of irregular behaviour within public institutions, promoting greater transparency and efficiency in public management.

However, the group also identified a number of significant obstacles that need to be overcome to realise the potential of AI in this context. One of the main problems lies in the lack of reliable

and up-to-date data. Despite the legal obligation of public entities to publish relevant information on platforms such as SECOP, much of this data is incomplete, outdated or even absent. This lack of information, for them, constitutes a major challenge for the use of AI-based tools, as this technology depends on the quality and quantity of available data to function properly.

Another problem pointed out was the lack of adequate structuring in the institutions' databases, which makes it difficult to analyse and process information through automated systems. Corruption, of course, remains a major focus of attention, and it was argued that AI could help to detect corruption in its various manifestations, but for this to be possible, accurate data and an appropriate framework are required.

In terms of regulating the use of AI in state surveillance, the group agreed that it is possible to create a regulatory framework that not only regulates the use of these technologies, but also encourages compliance by public entities in terms of data publication and quality. Regulation should encourage the creation of robust and structured databases that allow AI tools to efficiently track both public procurement and other irregular behaviour within the public administration.

The group concluded that, despite current challenges, AI offers great potential to transform the way in which oversight of state performance is conducted. However, for this to be feasible, it is essential to improve the quality of and access to public information. The need to create conditions both at the state level and in the other institutions involved to comply with transparency regulations and to achieve a data infrastructure that allows AI to operate effectively and efficiently was highlighted.

4.2. WORKING GROUP TWO: WHAT ARE THE MOST SERIOUS PROBLEMS THAT NEED TO BE ADDRESSED IN RELATION TO THE DEVELOPMENT AND USE OF IA SYSTEMS WITH RESPECT TO DEMOCRACY?

Panel two addressed the central question of the most serious problems facing AI in the context of democracy. Throughout the discussion, the group identified several key challenges that require attention to ensure the proper and ethical implementation of AI in democratic societies.

- **Relevance of the use of AI at the state level:** One of the first issues identified was the relevance of using AI to solve the problems faced by the state. While AI has shown great potential in a number of areas, the group raised the question of whether it is appropriate to resort to this type of technology for all government tasks, especially considering the high energy and natural resource costs that these technologies require. In this regard, it was stressed that AI is not always the most efficient or appropriate solution for certain challenges, and its adoption should be carefully evaluated.
- **AI digital literacy:** Widespread lack of knowledge about how these technologies work can lead to social inequalities, as those with more knowledge about AI are able to harness it more effectively, while others may be left further behind. It was concluded that, to

achieve real inclusion, it is essential to promote AI education and literacy, both individually and collectively.

- **Access control and protection of personal data:** Another point addressed was the protection of and access to personal data. AI, being powered by large volumes of data, can work with sensitive and private information, which poses risks in terms of privacy and protection of rights.
- **Innovation versus protection of human rights:** In relation to the above, the need to strike a balance between the innovation that AI promotes and the protection of human rights was highlighted. The group agreed that people's fundamental rights should not be sacrificed in the name of technological innovation.
- **Biases in AI systems:** Another serious problem identified by the group is the risk associated with biases in AI systems. It was mentioned that if AI systems are trained on incomplete, biased or unbalanced data, the results generated by the AI may be unfair or discriminatory.
- **Appropriate AI regulation:** Finally, the group discussed the need for appropriate regulation of AI. It was agreed that strict regulation might not be the ideal solution, as it could inhibit innovation and technological development. Instead of rigid regulation, the creation of clear principles and guidelines to guide the ethical and responsible implementation of AI was proposed, allowing for flexibility that favours both innovation and the protection of human rights.

4.3. WORKING GROUP THREE: HOW CAN IA SYSTEMS PROMOTE DEMOCRACY?

During a working session, the fourth group reflected on how AI can support democracy, highlighting both its benefits and the challenges involved in its implementation. Below is a summary of the key points discussed.

Strengths of AI for democracy. The group began its analysis by addressing how AI can contribute to strengthening democracy. The main aspects highlighted were the following:

- **Strengthening the attributes of democracy:** AI can improve access to information and citizen participation, promoting a more inclusive and accessible system.
- **Accessibility of information:** The group highlighted how AI can be a key tool for collecting and analysing unstructured data, such as that related to minorities and vulnerable populations. This data, which often goes unnoticed, could be externalised by AI systems to generate relevant information, enabling the identification of public problems.

- **Agility in the judicial system:** Another aspect pointed out by the panel was the ability of AI to streamline the judicial system. The implementation of techniques such as *machine learning* can support the processes of the administration of justice.
- **Strengthening competences and rights as citizens:** The importance of promoting the learning of civic competences and human rights was mentioned. AI systems can provide continuous training to citizens, enabling them to improve their skills and knowledge about their rights and duties within a democracy, thus contributing to a more empowered citizenry.

Challenges and ethical considerations: Despite the benefits, the group also highlighted some important challenges related to the implementation of AI in democracy:

- **Co-responsibility in the use of AI:** The importance of co-responsibility in the use of AI was discussed. It is essential to recognise that, although AI can make decisions based on algorithms, these decisions are not the responsibility of the system. Therefore, both the creators and users of the technology must take responsibility for the development and use of AI.

Possible solutions to improve democracy through AI: The group also identified several solutions to improve the impact of AI on democracy:

- **Generating a clear regulatory framework:** It was proposed that a regulatory framework be created that defines the boundaries and responsibilities of all actors involved in the development and use of AI. This framework should involve not only the engineers and technicians who create the systems, but also experts in social sciences, psychology and law. It should also include the active participation of government, legal entities and civil society. Such a framework would serve to ensure that all actors play by the same rules and know their rights and duties in the use of technology.
- **Transparency and access to audits:** The need to promote transparency in the use of AI was also highlighted. According to the group, citizens should have access to audits of the systems that make decisions, especially in sectors such as health, education, or government. It also stressed the importance of making the data used in these systems public, so that society can understand how and why decisions that affect their daily lives are made. For example, access to information on why a credit was approved or rejected, or why a citizen was not included in a subsidy programme.

4.4. **WORKING GROUP FOUR: WHAT IS NEEDED FOR THE DEVELOPMENT AND USE OF IA SYSTEMS TO HAVE POSITIVE IMPACTS IN COLOMBIA?**

In the presentation, the positive impacts of AI were discussed, with an emphasis on how this technology differs from others and its potential for use in different fields. It was highlighted that one of the main differences of AI, especially with the advancement of technologies such as

ChatGPT and Large Language Models (LLM), is its ease of use. These technologies, being based on natural language processing, allow anyone, regardless of technical knowledge, to interact efficiently with them.

However, the risks associated with AI were also addressed, which are largely related to the lack of understanding and ignorance of this technology. This raises fears and concerns, which makes the need to inform and educate society about what AI is, how it works and what benefits and challenges it can bring even more urgent. In addition, the importance of AI regulation was mentioned, although it was acknowledged that, although robust regulations exist in areas such as copyright, privacy and personal data protection, specific cases that arise in the day-to-day use of these technologies need to be addressed.

The need to promote ethics and good practice in the use of AI was also highlighted. It is crucial that their use is encouraged, but with a clear focus on the responsibilities that this entails. To this end, the importance of democratising access to these technologies was underlined, especially in terms of internet coverage, as although AI is accessible, there are significant gaps in access to these tools due to lack of infrastructure and knowledge in some regions of the country.

On regulation, it was stressed that while regulatory frameworks are necessary, they should be flexible enough to address specific cases in different areas. Finally, there was a call for action to create a general framework to better understand the impact of AI and its applications on society.

4.5. WORKING GROUP FIVE: ON THE AMPLIFICATION OF DISINFORMATION IN RELATION TO DEMOCRATIC PROCESSES

This roundtable addressed the impact of AI on the amplification of misinformation, especially as it relates to democratic processes. Throughout the discussion, both positive and negative implications related to the use of AI in the information sphere and its influence on society were identified.

Among the positive implications, the role of AI in improving access to information was highlighted. In contrast to previous eras, when only certain sectors of the population could access quality information, AI has enabled a greater number of people to have access to relevant data in real time. This access democratises information, empowering people to make more informed decisions in their daily interactions, not just in electoral processes.

Another positive aspect of AI is its ability to aid the information verification process. While AI can be used to spread misinformation, it also offers tools that allow users to cross-check and verify the veracity of data. However, it was stressed that this benefit depends on people's digital education to learn how to use these tools properly.

On the other hand, regarding the negative implications of AI, it was highlighted that, although AI has the potential to be a powerful tool for the dissemination of truthful information, it can also amplify disinformation, especially in contexts where algorithms prioritise the visibility of sensationalist or polarising content. This phenomenon mainly affects access to truthful

information, a fundamental right within democratic processes. In this context, the group posed the following question: "should a standard of truthfulness be established?"

In this sense, misinformation can undermine trust in traditional and digital media, altering the quality of public debate and electoral processes. According to participants, the lack of effective regulation of digital media and the irresponsible use of AI-based tools could have damaging consequences for democracy.

The issue of regulation was another key point in the discussion. Participants agreed on the need for clear regulatory frameworks and accountability mechanisms to ensure that those who use AI in ways that are harmful to society (e.g. to spread disinformation) are identified and appropriately sanctioned. Multinational companies such as Google, Microsoft and OpenAI (creator of ChatGPT) were mentioned as key players in the provision of AI services, suggesting that they should be part of the regulatory process and take responsibility for the content generated through their platforms.

The question was also raised as to how effective proposed verification mechanisms, such as Twitter's *Community Notes*, which attempt to validate the veracity of information shared, would be. The challenge is to define a standard of truthfulness and who would have the authority to verify that information. It was proposed that civil society, through specialised organisations, should play a key role in this verification process, although it was recognised that this requires a high degree of commitment and collaboration.

5. RESULTS OF THE QUESTIONS DEVELOPED DURING THE MULTI-STAKEHOLDER ROUNDTABLE

The following are the answers given by the participants of the multi-stakeholder roundtable to the three questions posed during the discussion:

¿Cuál es su cargo u ocupación principal? (ej. funcionario gubernamental, representante empresa, consultor, académico, asesor UTL, estudiante, etc.)

48 responses



En relación con el desarrollo y uso de sistemas de IA en Colombia, me siento:



¿Sobre qué temas deberíamos deliberar hoy en las mesas de trabajo?



Incluya acá sus aportes para la mesa virtual, indique a qué temática priorizada se refiere

2 responses

IA para la vigilancia
estatal

Para ayudar a
clasificación selección
de derechos de petición
informales en redes
sociales de las entidades
públicas. Para monitoreo
de temas de salud
pública y salud de la
naturaleza. Deliberación

6. GENERAL CONCLUSIONS OF PROFESSOR SANDRA ORTIZ

To close the round table, Professor Sandra Ortiz highlighted her conclusions from the day's work:

- Harnessing data to ensure quality, interoperability and veracity for the sustainable and ethical development of artificial intelligence.
- Promoting digital literacy, both individually and collectively, is key to meeting the challenges and seizing the opportunities offered by the development of artificial intelligence.
- Improving data quality is essential to avoid the generation of algorithmic biases and to ensure that artificial intelligence systems are fair, equitable and transparent.
- Algorithmic transparency is crucial to ensure fairness, accountability and trust in artificial intelligence systems.
- The governance of AI is a determining factor in ensuring that the development and use of these technologies is ethical, equitable and aligned with societal interests.
- Artificial intelligence has the potential to generate and deepen significant gaps in the territory.
- Importance of generating alternative control mechanisms to mitigate disinformation on social networks in the context of AI.
