

Freedom on the Net 2023



header1 Overview

Argentina's internet environment remained free during the coverage period, as users generally experienced unfettered access to online content and were able to engage freely on social media. The Supreme Court of Justice ruled that the "right to be forgotten" does not apply to content in the public interest, setting a strong legal precedent in favor of freedom of expression in some cases of intermediary liability. Argentines also continued to use online platforms to engage on political issues, including women's rights and economic concerns, and call for offline mobilization. Despite these positive developments, the attempted assassination of Vice President Cristina Fernández de Kirchner by an alleged right-wing extremist in September 2022 sparked controversy around the role of social media in fueling gender-based violence and hate speech more broadly in the country.

Argentina is a vibrant representative democracy with competitive elections, lively media and civil society sectors, and unfettered public debate. Economic instability, corruption in the government and judiciary, and drug-related violence are among the country's most serious challenges.

header2 Key Developments, June 1, 2022 - May 31, 2023

- In June 2022, the Supreme Court ruled that the "right to be forgotten" does not apply when content falls within the public interest in *Natalia Denegri v. Google*. The final ruling was well-received by digital rights organizations for setting a strong precedent favoring the public interest over the right to remove online content (see B2).
- Argentines continued to use social media to mobilize protests on political and social issues. Social media campaigns played a key role in organizing demonstrations against gender-based violence and the government's economic policies throughout the coverage period (see B8).
- In April 2023, Argentina became the second Latin American country to ratify Convention 108+, the Council of Europe's (CoE's) binding multilateral instrument on data protection. The data protection authority also undertook a series of consultations to

draft a new data protection law, making progress in updating the country's outdated data protection framework (see C6).

- Following the attempted assassination of Vice President Cristina Fernández de Kirchner in September 2022, a mission from the Organization of American States (OAS) visited Argentina to investigate gender-based political violence in the country. The mission concluded that hate speech spread via social media could have created the conditions that led to the attack against Fernández de Kirchner, raising broader concerns about online gender-based violence against women (see C7).

A Obstacles to Access

A1 1.00-6.00 pts0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	5.005 6.006
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Argentina's internet penetration rate is among the highest in Latin America, with 87 percent of the population using the internet according to 2021 data from the International Telecommunication Union (ITU), the most recent information available.¹

There were 7.96 million fixed-line internet subscriptions in the first trimester of 2023, a 1.5 percent year-over-year increase.² There were approximately 37 million mobile internet users in the first trimester of 2023, a 6.4 percent increase over the previous year.³ According to 2022 data from the National Authority for Communications (ENACOM), the number of fiber-optic connections has increased by 229.8 percent since 2019, totaling more than 3 million connections by the end of 2022.⁴

Measurements of internet speed vary, but a range of sources show that the country lags behind global averages and that speeds are slower than those in several other Latin American countries.⁵ In the third trimester of 2022, ENACOM reported that the average fixed-line download speed was below 20 megabits per second (Mbps) in 7 provinces; between 20 and 40 Mbps in 4 provinces; and above 40 Mbps, ranging from 41 to 101 Mbps, in 12 provinces and the city of Buenos Aires, Argentina's federal capital.⁶

Projects to expand internet infrastructure continued during the coverage period. In June 2021, Google announced plans to build the Firmina subsea cable, which will connect Argentina and the United States and will also land in Brazil and Uruguay; in August 2022, ENACOM approved the project.⁷ Firmina is expected to begin operating in 2023,⁸ though it was not yet operational by the end of the coverage period. The 2,500-kilometer Malbec subsea cable system, which connects Argentina and Brazil, began operating in June 2021.⁹ ENACOM had authorized service provider GlobeNet to implement the project, which was developed in collaboration with Facebook and was envisioned to double the country's connectivity capacity,¹⁰ in July 2020.¹¹

In September 2020, President Alberto Fernández launched the National Plan of Connectivity (Connect), which seeks in part to expand the national satellite system to improve connectivity in rural areas and continue the expansion of the Federal Fiber Optics Network by its projected completion in 2024 (see A2).¹²

A2 1.00-3.00 pts0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	2.002 3.003
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Some Argentine connectivity costs are low when compared to costs in other parts of South America. However, high inflation makes internet subscriptions relatively expensive for Argentines, especially for those with lower incomes. A notable geographic divide persists.

Geographic differences in internet access are substantial. Fixed-line internet subscriptions reach over 80 percent of households in provinces such as La Pampa, Chubut, Tierra del Fuego, and Córdoba, and below 45 percent in others, like Santa Cruz, Chaco, and Formosa. Approximately one fifth of provinces have fixed internet penetration levels below 50 percent.¹³

Many who lack internet access live in rural areas. According to a study conducted by ENACOM and the National Agricultural Technology Institute (INTA) between November 2020 and May 2021, over 40 percent of the 331 rural areas surveyed lacked internet connectivity. Surveyed areas with Indigenous populations saw even greater levels of nonconnectivity, at 60 percent.¹⁴ In January 2023, ENACOM announced a program to provide internet to rural schools and health centers. As part of the Program for the Development of Internet Infrastructure in Public Institutions in Rural Areas, the government plans to invest 1 billion Argentine pesos (nearly \$6 million) for connectivity infrastructure, its maintenance, and service provision for two years.¹⁵ In May 2023, ENACOM approved the first stage of these funds to connect public institutions in the Chaco, La Pampa, and Salta provinces.¹⁶

According to Cable, a UK-based company, the average price for 1 gigabyte (GB) of mobile data in Argentina was 188.75 Argentine pesos (\$1.48) in 2022.¹⁷ Argentina's average monthly broadband cost of 3,337 pesos (\$16.84) was the second cheapest in South America in 2023, according to Cable.¹⁸ The Economist Intelligence Unit's Inclusive Internet Index 2022 ranks Argentina 33rd out of 100 countries surveyed in terms of affordability. In Latin America, Argentina placed 5th of the 16 countries surveyed.¹⁹

In part as a response to inflation, Argentina's main service providers have raised the cost of mobile plans in recent years.²⁰ The government has sought to curb these efforts in the past. In August 2020, a presidential decree declared landline and mobile phone, internet, and pay television services essential public services; extended a May decision to temporarily suspend increases in rates to last through the end of 2020; and required government approval for price increases after the suspension ended. However, a series of judicial rulings in 2021 exempted a number of telecommunications companies from the decree, allowing them to increase prices (see A4).²¹ According to data from the National Institute of Statistics and Censuses (INDEC), the monthly inflation rate for communications services was 6.7 percent as of May 2023, which was lower than the country's overall monthly inflation rate of 7.8 percent.²²

Various government initiatives have sought to promote digital inclusion. In December 2022, the government launched the "Mi Pueblo Conectado" (My Connected Town) program under the Secretariat of Public Innovation, with the goal of providing satellite internet access to more than 370 small towns with little to no connectivity and a total investment of 1.1 billion pesos (\$6.4 million). As part of the project, the government plans to supply localities with funds to acquire computer equipment.²³ Previously, in February 2022, ENACOM granted over 1.7 billion pesos (\$9.9 million) to a number of projects promoting equitable information and communication technology (ICT) access for less-connected communities, including several focused on expanding broadband infrastructure and promoting the development of ICTs in less profitable, and therefore underserved, parts of the country.²⁴ In December 2020, the government launched a Universal Basic Plan (PBU) to provide telephone, internet, and pay television services for low-income Argentines by offering different low-cost packages to those who meet specific criteria. Companies are required to offer these packages under this plan, which officially began in January 2021.²⁵ As of August 2021, 400,000 mobile-telephony plans and 5,000 internet plans had been provided.²⁶

While Law 27.078 protects net neutrality,²⁷ practices such as zero-rating are commonplace; for example, major mobile providers do not charge users to access WhatsApp.²⁸

A3 1.00-6.00 pts0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?	6.006
	6.006

The government does not exercise control over telecommunications infrastructure. There have been no reported instances of the government cutting off internet connectivity during protests or social unrest.

Argentina has 32 functioning internet exchange points (IXPs) strategically distributed in major cities across the country,²⁹ which help manage internet traffic efficiently.³⁰

A4 1.00-6.00 pts0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

4.004

6.006

Argentina has at least 234 internet service providers (ISPs), including many small- and medium-sized providers.³¹ Grupo Clarín is the dominant broadband provider, holding 46 percent of that market as of February 2021, followed by Telefónica with 15 percent, Telecentro with 12 percent, and Supercanal with 7 percent. Small ISPs together hold the remaining 20 percent of the broadband market.³² As of September 2022, the mobile sector is concentrated under market leaders Claro (América Móvil, 37.2 percent), Personal (Telecom Argentina, 34.1 percent), and Movistar (Telefónica, 27.6 percent).³³

A megamerger between Telecom Argentina and cable-television provider Cablevisión was completed by mid-2018,³⁴ creating the country's largest telecommunications and media group.³⁵ The combined company provides fixed-line and mobile internet services, voice telephony, over-the-top (OTT) services, and telecommunications products for corporate clients. Mobile service provider Personal (part of Cablevisión-Telecom) has since seen an increase in its market share.³⁶ Competitors and experts raised concerns about this merger's impact on pluralism, diversity, and competition.³⁷ These concerns have been partly addressed in recent years. By March 2022, Telecom Argentina completed returning excess spectrum to the state; it had gained the additional spectrum from the merger, but ENACOM stipulated that additional spectrum beyond the cap for individual providers must be returned when it approved the deal.³⁸

In recent years, the government and ENACOM have made decisions with the potential to increase competition, though judicial decisions have sometimes thwarted these efforts. A May 2020 prohibition of price increases for telecommunications services applied only to products offered by select major companies, while cooperatives and small- and medium-sized enterprises were exempt (see A2).³⁹ In April 2021, a federal court suspended the application of an August 2020 presidential decree in the case of Telecom Argentina; under the decree, price increases imposed after a freeze expiring in December 2020 required government approval. In May 2021, ENACOM announced it would appeal that decision at the Supreme Court.⁴⁰ In November 2022, the Supreme Court dismissed the appeal on procedural grounds because the federal court's earlier decision was a preliminary injunction instead of a definitive ruling. In response, Vice President Cristina Fernández de Kirchner criticized the judiciary for allegedly interfering in matters of economic policy.⁴¹ A series of judicial rulings had extended the suspension of the presidential decree to other telecommunication companies, including Telefónica in December 2021, effectively neutralizing the government's attempt to control prices.⁴²

The state does not impose extensive administrative requirements or financial burdens to become a service provider. A 2017 resolution has allowed the government to push for a more "flexible and objective" ICT licensing regime.⁴³ The process to obtain an ISP license can be completed online, with a fee of 100,000 pesos (\$582), equal to 125 times the current value of the PBU.⁴⁴ Providers can access ENACOM's online platforms to fill out different forms that were simplified in order to make the process easier.⁴⁵

A5 1.00-4.00 pts0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

2.002

4.004

The main telecommunications regulator, ENACOM, was created by presidential decree in December 2015,⁴⁶ and later validated by the National Congress in April 2016.⁴⁷

The body's composition has raised some concerns about possible executive influence. ENACOM operates within the public innovation secretariat, under the chief of the cabinet of ministers, and has a board comprised of four directors chosen by the president and three proposed by the legislature: one by the majority or first minority party, one by the second minority party, and one by the third minority party. ENACOM's decisions can be approved by a simple majority, and its members, who serve four-year terms, may be removed by the president.⁴⁸ The ICT policymaker is the Secretariat of Public Innovation, after the Fernández administration restructured the Secretariat of Modernization in December 2019.⁴⁹

The executive body, the Network Information Center (NIC) Argentina, regulates and registers all websites with the ".ar" top-level domain name. Registration of any standard domain ending in ".ar" requires an annual fee between 855 and 1710 pesos (\$4.97 and \$9.95).⁵⁰

B Limits on Content

B1 1.00-6.00 pts0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?	5.005
	6.006

Users in Argentina have access to a wide array of online content. Nevertheless, courts have the power to order website blocks, and have done so to protect copyright and limit access to unauthorized gambling sites based on different provincial regulations.⁵¹ Law 25.690 also requires ISPs to provide software that can allow users to choose to limit their own access to "specific websites."⁵²

In late February 2023, a federal judge ordered ISPs to block access to 30 websites that had provided free livestreams of popular sports and TV shows. The injunction was issued at the request of a group of content providers and telecommunications companies that claimed these platforms were violating copyright law. One of the now blocked sports websites received 3.1 million visits in January 2023. While the blocked websites currently cannot be accessed, other websites have been created that have the same content but different URLs.⁵³

Courts have made controversial decisions in recent years to try to block the mobile transportation app Uber, finding it was not in compliance with the legal framework for public transportation services.⁵⁴ After a provisional order to suspend Uber was issued in Córdoba in 2019,⁵⁵ Uber stopped operating in the city.⁵⁶ The company resumed operations there in December 2020,⁵⁷ after the city failed to comply with an October 2020 court order that required them to enact ridesharing regulations within 30 business days.⁵⁸ In May 2023, the General Union of the Association of Transport Workers (UGATT) issued a demand for ENACOM to block Uber in Argentina, citing allegations of labor law violations by the company.⁵⁹ However, ENACOM gave no indication that it intended to block Uber by the end of the coverage period.

B2 1.00-4.00 pts0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?	3.003
	4.004

Score Change: The score improved from 2 to 3 due to the June 2022 Supreme Court decision that ruled against the "right to be forgotten" when content falls within the public interest, establishing a

strong legal precedent against the removal of certain online content.

Courts continue to consider lawsuits from individuals requesting that search engines and platforms take down certain material. Judges have ordered search engines and social networks to remove content based on the right to honor and privacy, which is guaranteed under Article 52 of the civil code and allows Argentines to prevent or repair any damage to their reputation. In September 2022, a judge in Formosa Province ordered a digital media outlet to remove content about local public official Paula Cattaneo and prevented it from making any reference to her in the future. The judge ruled that the outlet had made misogynistic comments that constituted psychological, gender-based violence and affected Cattaneo's moral integrity.⁶⁰ However, the Argentine Journalism Forum (FOPEA) criticized the ruling for negatively affecting freedom of expression, arguing that public officials have a responsibility to tolerate harsh criticism.⁶¹

The "right to be forgotten" remains a subject of debate in Argentina, though several recent court decisions have established a precedent favoring free expression. In June 2022, the Supreme Court ruled against the right to be forgotten when content falls within the public interest in *Natalia Denegri v. Google*.⁶² The Supreme Court held a public hearing on the case in March 2022;⁶³ a civil judge had ruled in celebrity Natalia Denegri's favor in February 2020, ordering Google to delist search results of keywords referring to Denegri's involvement in a 1990s scandal—a decision that had been reaffirmed by the National Court of Civil Appeals in August 2020.⁶⁴ During the March 2022 hearing, various civil society organizations recommended that the Supreme Court not enshrine the right to be forgotten.⁶⁵ The final ruling was well-received by digital rights organizations for setting a strong precedent favoring the public interest over the right to be forgotten.⁶⁶

A number of courts have recently overturned prior rulings requiring search engines to deindex information, with particular emphasis on information related to cases of sexual harassment. In June 2020, an appeals court in La Plata reversed a prior ruling that Facebook remove the URLs of posts on a feminist group's Facebook page that denounced a political activist as an abuser and manipulator. The appeals court ruled that the group's speech was constitutionally protected.⁶⁷ In July 2021, the Federal Chamber of Bahía Blanca reversed a decision requiring Google and Facebook to remove present and future content about an actor who had been accused of sexually harassing a teenager in a 2018 Facebook post. The court stressed that free expression takes precedence over potential reputational damage, especially when the content in question involves specially protected speech from vulnerable populations—in this case, the rights of women, adolescents, and children.⁶⁸

During previous coverage periods, major political players requested that courts order Google to conduct analyses on their knowledge panels, information boxes that appear after a search to provide a brief overview of a topic. These requests paved the way for demands that the search engine remove or suppress content, though this had not happened in practice by the end of the current coverage period. Former president and current vice president Cristina Fernández de Kirchner made one such request in August 2020 as a prior step to suing the company for defamation. She claimed that Google affected her image and honor when "Thief of the Argentine Nation" appeared in her knowledge panel in May 2020.⁶⁹ Courts accepted Fernández de Kirchner's request;⁷⁰ Google appealed to the Supreme Court, which dismissed the appeal in March 2021 due to legal technicalities.⁷¹ First lady Fabiola Yáñez submitted a similar request in November 2020, which a court accepted in January 2021; she alleged that her knowledge panel displayed derogatory and misogynistic remarks about her instead of her official title.⁷²

B3 1.00-4.00 pts0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	3.003
	4.004

ENACOM publishes an online repository of websites that have been blocked, reinstated, or both after court orders.⁷³ However, the tool does not consistently specify the rules or criteria behind

these decisions. The vast majority of website blocks concern online gambling (with over 30 cases in the first quarter of 2023), which is regulated differently in each province. In February 2023, service providers were ordered to block a list of 30 websites providing free access to sports events and TV shows. The block was ordered by a judge who based his decision on the sites' alleged violation of copyright and intellectual property rights (see B1).

Recent court decisions have established takedown criteria to avoid potential abuse of generic injunctions that restrict freedom of expression (see B2).⁷⁴ Though the country lacks a law on intermediary liability, a landmark 2014 Supreme Court ruling confirmed that intermediaries should not be liable for third-party content if they did not have knowledge of alleged third-party violations.⁷⁵ It also established that intermediaries must remove unlawful content only if they are notified by a judicial order, thus favoring a judicial takedown regime over a "notice-and-takedown" system. However, the court stated that if the content involves "manifest illegality," a private notification to the intermediary is sufficient. A 2017 Supreme Court ruling reaffirmed these standards in *Gimbutas v. Google*.⁷⁶ In June 2022, the Supreme Court ruled that the "right to be forgotten" cannot be applied when the content in question is newsworthy or of public interest (see B2).

B4 1.00-4.00 pts0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

3.003 4.004

Self-censorship among bloggers and internet users is not widespread in Argentina, although some isolated events have elicited self-censorship in particular cases.

Following the attempted assassination of Vice President Fernández de Kirchner in September 2022,⁷⁷ the anonymous Argentine online forum Rouzed, which was known to host right-wing extremist content, was voluntarily shut down by its administrators. The decision was taken after several anonymous users alleged that the attacker was an active member of the forum and accused other members of participating in the planning of the attack. However, just days after Rouzed was closed down, administrators created a new anonymous forum called Boxed.⁷⁸

A number of developments in recent years have sparked concern for their potential to increase self-censorship among journalists and ordinary users. This includes NODIO, an observatory for online disinformation and symbolic violence launched by the Public Defender's Office in October 2020. Political opposition members and media organizations warned that NODIO could be used for state control over and persecution of online discourse.⁷⁹ Similar concerns arose during the previous coverage period, in March 2022, when the government announced its work on a project to promote the "proper" use of social networks. The initiative was interpreted by the opposition and journalism organizations as a plan to regulate social networks,⁸⁰ which they said would encourage self-censorship.⁸¹ In response, the government stressed that it had no intention of proposing regulation on the matter.⁸²

Soon after the attempted assassination of Fernández de Kirchner, President Alberto Fernández (no relation) again raised the possibility of regulating social networks to prevent the spread of violence and hate speech online. Members of the opposition again criticized the government for allegedly promoting censorship. Despite the president's statements, no regulation proposal has been launched as of the end of the coverage period.⁸³

B5 1.00-4.00 pts0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

3.003

4.004

There have been episodes in recent years of seemingly organized digital behavior through bots, trolls, and personal accounts connected to political campaigning.⁸⁴

Seemingly coordinated online trolls have reportedly been deployed ahead of the October 2023 presidential election. According to media reports, a network of troll accounts has been used to influence online conversation about the election⁸⁵ and inauthentically boost the social media posts of presidential candidate Javier Milei, who has campaigned on a right-wing platform outside the political mainstream.⁸⁶ The network reportedly working on behalf of Milei, controlled by the political marketing firm Numen Group, allegedly includes up to 50,000 inauthentic accounts and has reportedly been hired by other Argentine candidates in the past.⁸⁷

Though some disinformation regarding politicians also appeared online in the lead-up to the November 2021 legislative election, the content did not have a significant impact on public debate. One false claim that circulated, for instance, was that former president Mauricio Macri misspelled “November” in his personal notes.⁸⁸ Other past elections have been flashpoints for online manipulation and disinformation in Argentina. Ahead of the 2019 general elections, an exposé found that several agencies working to develop tailored social media campaigns for presidential candidates used trolls and bots to promote narratives against opponents.⁸⁹

In September 2022, following the attempted assassination of Vice President Cristina Fernández de Kirchner, misinformation about the attack proliferated online (see B7). Several of these false claims were intentionally manipulated. For example, photoshopped images circulated on social media showing the alleged attacker standing next to former president Macri and former Buenos Aires province governor María Eugenia Vidal, both from the center-right opposition.⁹⁰ These efforts are part of broader attempts across the political spectrum in Argentina to discredit political opponents through manipulated online content.

In December 2022, a false criminal record purporting to belong to Fernández de Kirchner began circulating on social media. The manipulated document appears to depict the vice president’s conviction for “fraudulent administration”; although Fernández de Kirchner was found guilty of the charge that month, the document circulating on social media was falsified.⁹¹ Manipulated content has also targeted political opponents of Fernández de Kirchner and the current government. In May 2023, social media accounts on both Facebook and Twitter disseminated a picture that appeared to show former president Macri attending a soccer game with prosecutor Diego Luciani, who participated in the corruption case against Fernández de Kirchner. The information, which suggested that the charges against the vice president were politically motivated, was proven to be false.⁹²

In January 2021, Facebook reported removing just over 1,000 combined Facebook and Instagram accounts in December 2020 due to the inauthentic amplification of posts and articles about Sergio Berni, the minister of security for Buenos Aires Province. According to the report, these accounts were created in Argentina and targeted domestic audiences with the intent to make Berni-related content seem more popular by liking and resharing posts from the minister’s official page.⁹³

B6 1.00-3.00 pts0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?	2.002 3.003
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State advertising is typically allocated to traditional media outlets, placing some economic constraints on digital outlets, though the share of funds allocated to digital outlets has increased in recent years. Political allocation of official advertising plays a major role in shaping media content at both the federal and local levels.⁹⁴ In March 2023, the national government issued updated regulations for allocating state advertising funds.⁹⁵ The new rules, which remove some conditions to receive official advertising and eliminate the government’s obligation to produce an annual plan for advertising, have been criticized for granting more discretionary power to the government to allocate funding.⁹⁶

The Fernández administration has continued a longstanding trend of allocating funds based on positive news coverage,⁹⁷ though outlets editorially critical of the Fernández government can and

do receive significant shares of funding.⁹⁸ Of the 8.7 billion pesos (\$84.7 million) allocated to 2,842 media outlets by the national government for official advertising between September 2021 and April 2022,⁹⁹ 53 percent was allocated to just 12 media groups. Grupo Clarín, which had benefited most from official advertising between 2016 and 2019 for their Macri-friendly coverage, again received the most funding (more than 1 billion pesos, or \$9.7 million). Other top recipients included Fernández-friendly media conglomerates Indalo and Octubre.¹⁰⁰

During that time, 28.7 percent of state funding was allocated to websites and social networks, up from 17.7 percent during the prior reporting period. Funding for Google and Meta increased by 79 and 61 percent, respectively, since the government's previous reporting period.¹⁰¹

The continued distribution of funds along editorial lines is reportedly further evidenced by allocations that are incommensurate with viewership. For instance, Fernández-friendly media group El Destape—which consists only of a website and an FM radio station—received a 111 percent increase in funding since the government's previous reporting period, more than any other media group, including those with notably larger audiences. Furthermore, the list of national-advertising beneficiaries included digital outlets owned by journalists, including some that ardently support the current administration. This appears to contradict President Fernández's inaugural promise to foster transparency by not funding individual journalists.¹⁰²

In March 2023, the National Institute of Film and Audiovisual Arts (INCAA) issued Resolution 361/2023, which mandates the ex officio registration of foreign streaming platforms, including Apple TV+, Netflix, and Disney+, in the Public Registry of Film and Audiovisual Activity (RPACA).¹⁰³ This represents an expansion of INCAA's regulatory scope, which has previously extended only to traditional film and television providers, opening the possibility of additional tax requirements and regulations for these platforms. Among these is a proposed 10 percent value-added tax (VAT) to benefit INCAA's Development Fund, though this had not been implemented by the end of the coverage period.¹⁰⁴

In April 2019, the Senate approved a new law regulating the financing of political campaigns.¹⁰⁵ It notably mandates that 60 percent of public resources for political-party digital advertising be allocated to digital news sites that generate content, 35 percent to outlets providing national coverage, and 25 percent to provincial outlets focusing on local content. This responds to media associations' demands to compensate for losses due to the migration of advertising to search engines and social networks.¹⁰⁶

B7 1.00-4.00 pts0-4 pts

Does the online information landscape lack diversity and reliability?	3.003 4.004
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Argentina has an open and diverse online media environment. The digital ecosystem is populated with initiatives and content that reflect the interests of different groups, including Indigenous groups,¹⁰⁷ LGBT+ people,¹⁰⁸ feminists,¹⁰⁹ migrants,¹¹⁰ and various religious congregations.¹¹¹ However, media ownership is highly concentrated, which may in turn affect the diversity of news in the market (see B6).¹¹²

In the aftermath of the attempted assassination of Vice President Cristina Fernández de Kirchner in September 2022, misinformation about the attack spread widely on social media. For instance, some social media users falsely claimed that the Canal 5 Noticias television channel had reported the attack several hours before it occurred, implying that it had been staged. Others falsely claimed that the attacker was an employee of Buenos Aires City Mayor Horacio Rodríguez Larreta, an opposition leader. Many of the false claims that circulated online about the attack were intentionally manipulated, by both supporters of the government and the opposition, to target or discredit political opponents (see B5). The presence of misinformation significantly undermined the reliability of the online information landscape. According to one analysis, immediately after the attempted assassination, almost a third of all social media posts mentioning the attack “concentrated on disbelief” that it had even occurred.¹¹³

Several civil society initiatives have sought to counter online misinformation and disinformation and render the online media ecosystem more reliable in recent years. Reverso, a collaborative project coordinated by fact-checking organization Chequeado and AFP Factual, and consisting of more than 100 media organizations, returned in June 2023, after the coverage period, in the run-up to the October general election.¹¹⁴ The project, which aims to combat misleading or false electoral information, was previously active in both 2019 and 2021, ahead of national elections during those years.¹¹⁵

In May 2023, the national government launched an online course on disinformation and false news. The course addresses the history of disinformation and its main features, and includes tools and tips to detect false news. The training is free and available to all citizens.¹¹⁶
B8 1.00-6.00 pts0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?	6.006
	6.006

Argentines continue to use social media as a tool for political mobilization. Digital activism has played a crucial role in rallying protests and ushering in legislative change in recent years, especially for women's rights.

Nationwide demonstrations against gender-based violence took place in June 2022, as part of a movement that began seven years prior following protests that began with the Twitter hashtag campaign #NiUnaMenos (#NotOneLess).¹¹⁷ The hashtag initially went viral on social media in June 2015,¹¹⁸ and remained one of the most tweeted hashtags in subsequent years.¹¹⁹ Activists continued to use digital channels to spread the movement's message in June 2022, including through an initiative that involved family members of femicide victims sharing their stories on social media.¹²⁰ Another online campaign addressing gender issues, #PeriodismoConDiversidad (#JournalismWithDiversity), was launched in April 2022, during the previous coverage period. Women journalists and dedicated gender editors shared videos accompanied with the hashtag in which they called for improved coverage of gender issues and the greater inclusion of women and other marginalized groups in media.¹²¹

The legalization of abortion in December 2020 was widely seen as the result of the #NiUnaMenos movement.¹²² Social media played a key role in facilitating discussion during the legislative debate held in the month before the decision. Hashtags both supporting and opposing the right to abortion trended during the legislative session, the livestreams of which were watched by a record audience of more than 48,000 people.¹²³

In July 2022, thousands of people gathered in Buenos Aires and other cities across the country to protest the Fernández government's handling of the country's serious economic crisis, driven by high inflation and debt obligations. Social media played an important role in calls to protest, through hashtags such as #DefendamosLaRepública (#LetsDefendTheRepublic) and #Argentinazo.¹²⁴

As in previous national elections, Argentine political candidates have used online platforms to campaign ahead of the country's October 2023 general election. Social media has continued to become an important part of political campaigning in Argentina, with several candidates using TikTok¹²⁵ and other platforms to communicate with voters during the coverage period.

C Violations of User Rights

C1 1.00-6.00 pts0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they	4.004
	6.006

enforced by a judiciary that lacks independence?

Freedom of expression is guaranteed by the constitution¹²⁶ and through the ratification of regional and international human rights treaties that share constitutional status.¹²⁷ Argentina also explicitly established online freedom of expression protections through a presidential decree issued in 1997.¹²⁸ These were expanded by the National Congress in 2005 to include “the search, reception, and dissemination of ideas and information of all kinds via internet services.”¹²⁹ A national freedom of information law came into force in 2016.¹³⁰

This legal framework has been supported by various national Supreme Court judicial decisions that have favored freedom of expression in cases related to intermediary liability and the right to be forgotten (see B2 and B3).

While the Supreme Court is relatively independent, Argentina’s judicial system has faced criticism in the past for inefficiencies and accusations of politicization in lower and province-level courts. In October 2022, the media reported on an apparent secret meeting—among judges, prosecutors, media businesspeople, and at least one member of the Buenos Aires city government from the opposition Republican Proposal (PRO)—that occurred that month at a private estate in Lago Escondido.¹³¹ Following the meeting, Telegram chats that appeared to show attempts by the participants to cover up details of the meeting were allegedly leaked from the mobile phone of Marcelo D'Alessandro, the justice minister of the city of Buenos Aires, igniting accusations of judicial collusion from President Fernández and other members of the governing party.¹³² After additional messages were leaked in December, with some appearing to show private messages between D'Alessandro and a spokesman for the Supreme Court, D'Alessandro accused individuals linked with the national government of illegally hacking his cell phone in order to obtain the messages (see C5).¹³³ Following the controversy, D'Alessandro resigned as the Buenos Aires security and justice minister in March 2023.¹³⁴

C2 1.00-4.00 pts0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?

2.002
4.004

Some laws impose criminal and civil liability for online activities, though defamatory statements regarding matters of public interest were decriminalized in 2009.¹³⁵ Law 11.723 holds liable those who reproduce content that violates intellectual property by any means and establishes sanctions ranging from fines to six years in prison. In November 2013, the National Congress approved a law amending the penal code and establishing penalties of up to four years’ imprisonment for online contact with a minor carried out “with the purpose of committing a crime against [the minor’s] sexual integrity.”¹³⁶ The proposal had sparked criticism among academics and legislators due to vague wording that would have criminalized any online interaction with minors, issuing the same sentence that is mandated for cases of abuse.¹³⁷

A 2008 cybercrime law amended the criminal code to prohibit distribution and possession of child sexual abuse images, interception of communications and informatics systems, hacking, and electronic fraud. Some of the terms used in the legislation have been criticized as ambiguous, which could lead to overly broad interpretation.¹³⁸

Other bills that could be used to punish certain forms of online speech due to broad wording have been proposed in recent years, though had not been passed by the end of the coverage period. These include legislative initiatives to impose prison sentences for identity theft online and the dissemination of nonconsensual intimate images and to criminalize “cyberbullying” and stalking.¹³⁹

C3 1.00-6.00 pts0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?

5.005
6.006

Internet users do not generally face politically motivated arrests or prosecutions for online speech. However, journalists have been charged for their digital activities; users have been fined or investigated for social media comments; and social media monitoring has led to investigations being launched against online users.

Journalists and online personalities have faced charges and proceedings in relation to their digital activities, though charges tend to ultimately be dropped. Daniel Santoro, an investigative journalist for the national newspaper *Clarín*, was charged with attempted extortion in April 2021 based on a judge's claims that Santoro, who had requested comment on an article via a WhatsApp message, was a "necessary participant" in a broader extortion scheme. If found guilty, he would have faced up to five years in prison.¹⁴⁰ A federal court revoked the decision in June 2021, citing a lack of evidence.¹⁴¹ The last charge against Santoro was ultimately dropped in November 2021, in another federal court decision that stressed Santoro's behavior as a neutral and noncriminal outcome of his journalistic profession.¹⁴²

Santoro, along with journalist Joaquín Morales Solá from *La Nación*, faced an additional criminal lawsuit during the coverage period. In January 2023, Argentina's Federal Intelligence Agency (AFI) filed criminal charges against the two journalists and their newspapers, claiming they had revealed political and military secrets by publishing the names of supposed military personnel who were alleged to have illegally worked as intelligence agents for the AFI.¹⁴³ The articles in question, published between December 31, 2022 and January 3, 2023, were simultaneously published online.¹⁴⁴ Ultimately, in April 2023, the charges were dropped by a federal judge since the disclosures by Morales Solá and Santoro were part of their journalistic work and therefore protected by freedom of expression.¹⁴⁵

In 2020, a court ruled that Diego Masci, a journalist and director of the *zbol.com.ar* outlet, engaged in criminal violation of privacy, issuing a 90,000 peso (\$539) fine. In November 2021, a San Luis court upheld the ruling. The initial decision stemmed from a video that Masci had published online showing government minister Natalia Spinuzza under the influence of marijuana—a video that the court also ordered Google to remove from YouTube. Press freedom groups voiced concern over the ruling, which cited the lack of a public interest component, arguing that the video ceased being private when Spinuzza recorded and distributed it to third parties.¹⁴⁶ In August 2022, during the coverage period, the Supreme Court overturned the San Luis court ruling, finding that it lacked appropriate consideration of Spinuzza's status as a public figure and, consequently, of the right to freedom of expression more broadly.¹⁴⁷

In February 2022, libertarian journalist and YouTuber Eduardo Prestofelippo (also known as El Presto) was sentenced to 30 days' house arrest for discrimination and harassment against the first lady, Fabiola Yáñez. The charges stem from two YouTube videos and a Facebook post made by Prestofelippo in 2020, in which he made insulting remarks about Yáñez's private life. Prestofelippo was also ordered to take a course on gender violence and respect for women at the National Institute against Discrimination, Xenophobia, and Racism, a state agency.¹⁴⁸ This sentence was upheld by a Buenos Aires city court in September 2022.¹⁴⁹

Previously, in September 2020, Prestofelippo was arrested during a police raid on his home after he allegedly tweeted death threats to Vice President Fernández de Kirchner; the charges were dismissed that December when a judge ruled that the tweet was protected under freedom of expression standards.¹⁵⁰ However, the dismissal was revoked by the Federal Chamber of Córdoba in October 2021 following a successful appeal by prosecutors. The Federal Chamber of Cassation upheld the 2021 ruling, which ordered the prosecution of Prestofelippo for "threats," in October 2022.¹⁵¹ The case remained ongoing at the end of the coverage period.

In October 2022, the Airport Security Police (PSA) filed a criminal complaint against stand-up comedian Martín Ezequiel Grosso Almeida for using his Instagram account to allegedly voice violent expressions against President Fernández. Police learned about the comments via “cyberpatrolling” activities (see C5) conducted in the aftermath of the assassination attempt on Vice President Kirchner that September; Kirchner’s assailant had reportedly attended a birthday party for Almeida earlier in the year. The case was ultimately closed by January 2023, after a public prosecutor requested that the charges be dismissed due to the “nonexistence of a crime” and the right to freedom of expression.¹⁵²

In June 2021, a federal court reversed charges of public intimidation against a citizen who posted a tweet criticizing former president Macri and threatening to put a bomb in the Casa Rosada, the official presidential office. The court highlighted that the tweet did not intend to generate alarm or threaten the commission of a crime and was made in a context that did not warrant criminal proceedings.¹⁵³

C4 1.00-4.00 pts0-4 pts

Does the government place restrictions on anonymous communication or encryption?

2.002
4.004

The Argentine government does not impose restrictions on anonymity or encryption for internet users, but registration requirements are in place for obtaining a mobile phone or a domain name (see A5). Bloggers and internet users are not required to register with the government and can post anonymous comments freely in online forums.

Telecommunications operators must register users’ identification information before selling them mobile phones or prepaid SIM cards.¹⁵⁴ A resolution signed in October 2016 established a database of personal information, requiring ENACOM to adopt measures to identify all mobile communications users in a national registry.¹⁵⁵ Mobile service providers must store the information in a safe and auditable manner, and supply information on request to the judiciary or public prosecutors. The resolution does not state how long the information must be stored. Civil society groups criticized the policy for undermining anonymity and freedom of expression.¹⁵⁶

In July 2016, the National Directorate for the Registry of Internet Domain Names launched a new regulation for the administration of domain names.¹⁵⁷ In order to register, transfer, or cancel a domain, individuals must apply for a “tax password” (Clave Fiscal) by providing the Federal Administration of Public Revenues with fingerprints, a facial photo, and their signature.¹⁵⁸

C5 1.00-6.00 pts0-6 pts

Does state surveillance of internet activities infringe on users’ right to privacy?

3.003 6.006

In general, Argentina has strong, constitutionally rooted privacy standards. Though covert or unlawful surveillance does not seem to be widespread, some sectors have attempted to spy on internet users. Security services engage in monitoring of journalists’ online activities.

Government agencies do not systematically collect or access internet users’ metadata directly, but they may request it from service providers with a warrant,¹⁵⁹ which has been upheld by the judiciary regarding information like geolocation data.¹⁶⁰ Interception of private communications requires judicial authorization.¹⁶¹

The Ministry of Security has consistently recommended that federal police engage in “cyberpatrolling” since 2017, when the email and Twitter account of the minister at the time were hacked.¹⁶² This practice involves a proactive approach to identifying illicit activities online, mainly by searching social media platforms and monitoring results, without appropriate transparency measures or safeguards.¹⁶³

In May 2020, the ministry published a protocol through Resolution 144/2020 that outlined general principles and guidelines for authorities engaging in such cyberpatrolling.¹⁶⁴ Though the Agency for Access to Public Information (AAIP), Argentina's data protection authority, suggested that the protocol be suspended or changed to comply with the national data protection law and the right to privacy following the AAIP's review that June, it remains unclear whether the government has accepted the recommendations.¹⁶⁵

In March 2022, during the previous coverage period, the Federal Chamber excluded from evidence a report stemming from an investigation into whether former president Macri and other officials pressured members of the judiciary; the defendants alleged the report relied on cyberpatrolling. In November 2021, a federal prosecutor had originally ordered an agency under the Supreme Court to report all critical public statements, including via social media, made by Macri and officials close to him between 2015 and 2019. That month, the Bar Association of the City of Buenos Aires criticized the order as a violation of free-expression rights; in its rejection of the report as evidence, the Federal Chamber said it invasively and excessively infringed upon people's democratic rights.¹⁶⁶

In late 2022, an apparent leak of private messages revealed the details of a secret meeting between judges, businesspeople, and then city of Buenos Aires minister of justice and security Marcelo D'Alessandro. The leaked messages appeared to show an attempt to cover up the meeting, sparking allegations of collusion between the judiciary and members of the opposition (see C1). The messages, which allegedly originated from D'Alessandro's mobile device, were reportedly obtained by a hacker at the request of an anonymous Telegram user.¹⁶⁷ The case remained unresolved by the end of the coverage period. An investigation into the identity of the person who supposedly requested and paid for the hacking operation, and the alleged links between the acts of "illegal espionage" and individuals associated with the current government, remained ongoing at the end of the coverage period.¹⁶⁸

The AFI has been found to have carried out illegal surveillance during the presidency of Mauricio Macri, from 2015 to 2019. Targets included journalists, politicians, and political and social organizations.¹⁶⁹ In December 2021, Macri was charged with ordering the illegal surveillance of the relatives of 44 sailors who died when their submarine sank in 2017. Family members reported having their email addresses, social media, and other accounts hacked in 2018. Macri denied the charges, calling them politically motivated.¹⁷⁰ A federal court dismissed the charges in July 2022, during the coverage period, labeling the operation justified based on its "sole objective" of preserving "presidential and/or internal security."¹⁷¹

In June 2020, prosecutor Cristina Caamaño presented findings of an audit of the AFI to the Eleventh Federal Criminal and Correctional Court that revealed that agents had monitored and stored personal information of over 400 journalists seeking to cover major international summits held in Buenos Aires in 2017 and 2018. Agents had assembled detailed profiles of individuals who requested accreditation to cover the event, which included photos, employer names, social media profiles and posts, and comments about their political ideology or opinions. Those deemed critical of then president Macri were noted as having a "critical political posture."¹⁷²

Cellebrite, an Israel-based digital intelligence company, has supplied federal security forces with tools for hacking into locked mobile devices since the early 2010s.¹⁷³

Citizens' personal information contained in the databases of the National Administration of Social Security (ANSES) can be transferred to the Public Communication Secretariat (SCP).¹⁷⁴ A court ruled in 2018, however, that ANSES could not share a woman's phone number and email address with the SCP without the woman's consent.¹⁷⁵ The national government appealed the ruling before the Supreme Court, and the resolution of the case was still pending by the end of the current coverage period.¹⁷⁶

During the Macri administration, the Supreme Court established an Office of Capturing of Communications to intercept communications.¹⁷⁷ Digital rights groups raised concerns about the office's lack of autonomy, especially as it is housed within a criminal-investigation directorate.¹⁷⁸

Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to privacy?

4.004
6.006

A number of measures to protect Argentine users' data and communications are in place, and the courts have upheld rulings that protect privacy.¹⁷⁹ However, there are some mechanisms by which service providers and companies can be compelled to provide user information under certain circumstances.

In 2009, the Supreme Court upheld a ruling that 2003 data retention legislation represented a violation of privacy rights.¹⁸⁰

A 2013 resolution by the Communications Secretariat of the Ministry of Federal Planning introduced data retention requirements for the purpose of assessing the quality of services, requiring providers to store data related to quality indicators for three years. It states that providers should guarantee the telecommunications regulator "free access" to installations and should provide "all the information that is required in the set manner and timeframe."¹⁸¹

The Criminal Procedure Code states that, if a judge orders them to do so, communication service providers must be able to immediately intercept data for a period of up to 30 days, with the possibility of an extension. Providers are held criminally liable in cases of noncompliance.¹⁸² Companies can be sanctioned for not complying with a provision under the Argentina Digital Act (Law 27.078), which mandates that ICT providers share information with competent authorities when requested.¹⁸³

In March 2022, during the previous coverage period, and after the position had been vacant for more than a year, political scientist Beatriz de Anchorena was appointed AAIP director. The appointment was criticized both by civil society organizations and the opposition for de Anchorena's lack of expertise, as well as doubts about her impartiality due to her past membership in the Patria Institute, a think tank founded and overseen by Fernández de Kirchner.¹⁸⁴ The National Auditor General's Office released an audit report on the AAIP that same month concluding that the agency had not developed or implemented tools that effectively protected personal data, highlighting shortcomings in the operation of various national registries.¹⁸⁵

However, the AAIP made progress on improving Argentina's data protection framework during the coverage period. In mid-2022, the AAIP kicked off a process to update existing legislation through a new data protection law. The initiative started with a series of meetings between the data protection authority and various stakeholders, including civil society organizations and private sector representatives, that led to the publication of a first version of the new draft law on August 30. Members of the public were able to submit comments and opinions on the preliminary version of the draft law during a public consultation period that was launched in September. The final draft version of the data protection bill was ultimately unveiled in November 2022.¹⁸⁶ In June 2023, after the coverage period, the Data Protection Bill was submitted to the Chamber of Deputies for consideration.¹⁸⁷ The bill contains several provisions influenced by the European Union's General Data Protection Regulation (GDPR), and civil society organizations have praised the inclusion of due diligence requirements to mitigate potential harms and the preeminence principle of favoring the data subject when uncertainties arise about how to interpret the law.¹⁸⁸

Additionally, in April 2023, Argentina completed its ratification of Convention 108+, a binding multilateral instrument on data protection issued by the CoE. Argentina is the second Latin American country to ratify the convention.¹⁸⁹

In March 2022, during the previous coverage period, the Internal Trade Secretariat issued a resolution extending a prohibition against Meta's implementation of WhatsApp's updated terms of service and privacy policy for Argentine users. The resolution, originally issued in May 2021, will be in force until the conclusion of an ongoing investigation into the company's potential abuse of a dominant market position and possible excessive, unjustified, and exploitative data processing and

sharing by WhatsApp.¹⁹⁰ The Argentine government also fined Facebook 5 million pesos (\$49,500) in January 2022 for including “abusive clauses” in WhatsApp’s privacy policy conditions, which the company used to limit its liability for damages and restrict user rights.¹⁹¹

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?	4.004 5.005
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Violence in reprisal for digital activities is rare, though journalists and activists, including those who work online, are subject to intimidation, harassment, and smear campaigns on social media. The Argentina Forum of Journalism (FOPEA) reported 88 cases of harassment against journalists in 2022, compared to 108 in 2021; journalists for digital outlets were targeted in 17 cases. Nearly 45 percent of the total cases reported involved physical, psychological, or material harassment, and three cases of cyber harassment were reported. In the report, FOPEA noted the increasing threat to journalists from drug cartels.¹⁹²

In May 2023, digital and radio journalist Griselda Blanco, who regularly reported local news through Facebook Live broadcasts, was found murdered at her home in Corrientes Province. According to prosecutors, no evidence has been found that Blanco was killed because of her work as a journalist.¹⁹³ The Argentine Federation of Press Workers (FATPREN) called for a full and transparent investigation into the case, noting that Blanco had received threats for her reporting in the past.¹⁹⁴ The investigation into Blanco’s murder remained ongoing at the end of the coverage period.

In October 2021, during the previous coverage period, cartoonist Cristian Dzwonik (also known as Nik) received antisemitic messages and threats to his physical safety over Twitter after an exchange with Security Minister Aníbal Fernández on the platform. The exchange began when Nik accused the government of offering handouts to curry favor after an electoral defeat in the September 2021 primary contests. Fernández responded about subsidies allegedly directed to the school Nik’s daughters attended, which the cartoonist considered a veiled threat and press freedom organizations condemned as intimidation.¹⁹⁵

Online gender-based violence poses a prominent threat to female users, especially journalists and public officials. In June 2021, during the previous coverage period, women journalists behind the La Reacción Conservadora (The Conservative Reaction) investigation reported receiving threats over the phone and having their personal information leaked online after their reporting was published (see C8).¹⁹⁶ A study published in April 2023 indicated that more than 40 percent of all people surveyed had been the victim of hate speech or discrimination online, noting that women in particular were more likely to be targeted by online harassment or violence. Female political candidates are especially targeted, including with online smear campaigns.¹⁹⁷

After the attempted assassination of Vice President Fernández de Kirchner in September 2022, a mission from the Organization of American States (OAS) visited Argentina to investigate gender-based political violence in the country. Members of the mission stated that hate speech spread via social media could have created the conditions that led to the attack against Fernández de Kirchner or could worsen the potential for political violence against other women who hold public office. Therefore, they recommended that social media and other media actors create self-regulatory codes of conduct to prevent political violence against women.¹⁹⁸

In December 2022, journalist Uki Goñi restricted access to his social media accounts after being subjected to online harassment, including insults and death threats on Twitter and Instagram. Goñi was harassed in response to his article in the British newspaper the *Guardian* that reported on structural racism facing Argentines of African descent.¹⁹⁹

In January 2023, Marina Abiuso, a journalist and gender editor for the TV channel Todo Noticias (TN), closed her Twitter account after being subjected to online harassment, including insults,

threats, and the spreading of false information about her. The harassment directed at Abiuso came during a controversy over claims of gender-related bias in TN's journalistic coverage of the trial of a mother and her partner accused of murdering their son, which critics alleged was low compared to the outlet's reporting on a trial of male rugby players also accused of murder.²⁰⁰

C8 1.00-3.00 pts0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?	2.002 3.003
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Score Change: The score improved from 1 to 2 because while cyberattacks remain a serious concern in Argentina, the effects and scope of such attacks were less severe than during the previous coverage period.

Government entities and commercial enterprises are particularly vulnerable to ransomware attacks, and digital media outlets have suffered technical attacks in recent years.

In June 2021, during the previous coverage period, a website hosting the results of journalistic investigation La Reacción Conservadora was taken offline shortly after it launched. The journalists behind the investigation reported that the site failure was caused by a technical attack,²⁰¹ though others argued that the site crashed due to a large amount of visitor traffic.²⁰² The website was supposed to display an investigation conducted by feminist journalists on the relationships between conservative political, religious, and social groups and individuals. The investigation sparked controversy due to its inclusion of personal information on the people investigated. The website never went online again but part of the investigation was accessible via other newspapers' websites.²⁰³

Government entities are also sometimes targeted with cyberattacks. In August 2022, the province of Córdoba's judiciary was the victim of a ransomware attack, forcing an outage of its IT systems and website. According to reports, the attack, reportedly by an operation called "PLAY," attempted to erase all the information contained in the judiciary's IT system instead of demanding money.²⁰⁴ The attack caused the judiciary to temporarily cease all electronic processing of court documents.²⁰⁵ A few months later, in October 2022, the Ministry of Health's IT systems were hacked by attackers who reportedly leaked individuals' sensitive health information and caused official email accounts to send malicious emails. Despite launching an internal investigation, as of May 2023, the government has not provided updates on the people behind these attacks.²⁰⁶

In October 2021, during the previous coverage period, information from Renaper, the national agency responsible for the registration and identification of all Argentine citizens, was leaked online. An anonymous hacker claimed to have access to the personal data—including names, photos, addresses, and identification numbers—of 45 million people.²⁰⁷ To substantiate these claims, the attacker published photos and personal details belonging to celebrities and political officials, as well as a file containing data for 60,000 individuals. The attacker offered the complete database for the equivalent of \$17,000 in cryptocurrency. The government acknowledged the unauthorized dissemination of personal data but refused to confirm that the whole database was leaked.²⁰⁸ Authorities also denied that a breach of or unauthorized entry into the database had taken place, instead suggesting that the leak occurred after a virtual private network (VPN) account assigned to the Health Ministry had been compromised.²⁰⁹

In November 2021, ransomware group Everest offered to sell access to government documents and several national government intranet systems for \$200,000. According to official sources, the National Computer Emergency Response Team (CERT) launched an investigation to confirm the veracity of the incident,²¹⁰ though no further updates have been provided.

Individuals have also been targets of cyberattacks in recent years. In June 2021, the Twitter account of National Deputy Mario Negri was hacked. Hackers tweeted violent and racist content, as well as insults to politicians from the account.²¹¹ In April 2022, the Twitter account of Buenos Aires health

minister Nicolás Kreplak was hacked and used to tweet misinformation about the COVID-19 vaccine, including one alleging that recipients would turn into robots.²¹²

Commercial entities and service providers have also faced ransomware attacks. In February 2023, ransomware group LockBit demanded payment—reportedly \$5 million—from insurance company La Segunda in exchange for not publishing sensitive information held by the company, including legal documents, personal medical records, and expert reports. La Segunda refused to pay the attackers and the information was ultimately leaked online.²¹³

Government agencies have sought to strengthen their cybersecurity capacity. The country's first National Cybersecurity Strategy was launched in May 2019.²¹⁴ In January 2023, the national government opened a public consultation period to receive input on the draft of the second National Cybersecurity Strategy.²¹⁵ An updated document, incorporating suggestions received during the public consultation period, was released in June 2023, after the coverage period.²¹⁶ In February 2021, the National Cybersecurity Directorate (DNC) set up the National Computer Security Incident Response Team to coordinate the handling of cybersecurity incidents in the national administration and assist in the case of attacks to critical information infrastructure.²¹⁷ In June 2021, the DNC issued minimum information security requirements for all national-level public-sector organizations to prevent, detect, manage, resolve, and report cybersecurity incidents that could affect information assets.²¹⁸ During the coverage period, several public institutions and universities adhered to the requirements.²¹⁹

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