

ARGENTINA

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2023 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Special 301 Recommendation: IIPA recommends that Argentina be maintained on the Priority Watch List in 2023.¹

Executive Summary: Argentina lacks the resources and political will needed to match high rates of piracy, which accelerated and diversified in the past several years. Argentina must recognize at the highest levels the need to foster a digital market that is free from illicit content within its highly connected population. There is a dire need for an agenda and strategic policy for enforcement and interagency cooperation, especially between prosecutors and law enforcement cybercrime experts. The spike in demand for pirated content that Argentina experienced in the initial pandemic lockdown has enabled pirate sites to take hold and expand to other Spanish-speaking countries. Satellite and signal piracy also persists in Argentina. Hard goods piracy remains rampant through both importation and production and is linked to organized crime groups. Market access obstacles persist, including film and television quotas and high taxes on copyrighted content. Unauthorized digital goods (UDGs) for video game platforms are rampant, with purveyors having taken advantage of the e-commerce boom generated by the pandemic to consolidate the market among local game consumers. While sales of music recordings on physical media have declined in recent years, the offer of unauthorized copies of new releases is still a significant problem for the Argentinean recording industry.

IIPA urges the Government of Argentina to make use of the recently established Coordination Center to Combat Cybercrime (*Centro de Coordinación de Combate al Ciberdelito*, known as C4) within the Cybercrime Investigations Directorate in the Ministry of Security to combat rampant online piracy in conjunction with its anti-cybercrime efforts. The government should also revisit efforts to strengthen the Penal Code to improve the enforcement landscape for copyrighted works.

PRIORITY ACTIONS REQUESTED IN 2023

Enforcement

- Increase resources and political backing for a coordinated, long-term anti-piracy agenda at the federal level to address online piracy.
- Partner with rights holders to maximize industry expertise in the fight against cybercrime.
- Engage cybercrime authorities and the National Communications Entity (ENACOM), Argentina's telecommunications regulator, to monitor and perform online operations against high-profile sites and commercial activities occurring in online marketplaces and e-shops.
- Continue to apply the Civil and Commercial Code to Internet service provider (ISP) liability cases, including for storing infringing content.
- Host private sector discussions on potential cross-industry cooperation to tackle online piracy more effectively and to support the development of the local digital economy.
- Create a specialized Intellectual Property (IP) Prosecution Office and establish federal jurisdiction over copyright crimes.
- Undertake routine, *ex officio* actions, such as inspections and raids of physical markets to stop commercial piracy.
- Actively involve the Argentinean Customs Office (DGA-AFIP) in copyright enforcement actions.

¹ For more details on Argentina's Special 301 history, see previous years' reports, at <https://iipa.org/reports/reports-by-country/>. For the history of Argentina's Special 301 placement, see <https://www.iipa.org/files/uploads/2023/01/2023APPENDIXBSPEC301-1.pdf>.

- Engage customs authorities to monitor and perform border operations against counterfeit, high-value products (such as circumvention devices and modified game consoles) entering the country via airports and land borders.
- Assign adequate legal powers and financial resources to the Ministry of Justice's Copyright Office (*Dirección Nacional del Derecho de Autor*).
- Introduce legislation for the adequate protection and legal remedies against the removal of technological protection measures (TPMs) and rights management information (RMI).
- Ensure that any amendments introduced to the Argentina Digital Law, do not conflict with the activity of (and enforcement actions by) right holders.

Market Access

- Remove quotas for motion pictures and television content, and electronic devices, and refrain from extending quotas to over-the-top (OTT) services.
- Reject customs duties on audiovisual works based on the potential royalty value of the work rather than on the value of the carrier medium, as well as other customs duties and taxes that burden foreign rights holders.
- Amend legislation to change collections on behalf of music performers and phonogram producers to be 50-50 between performers and producers instead of the currently inequitable split of 67% to performers and 33% to producers.
- Reject other legislation or regulations that burden the creative industries or unfairly target foreign rights holders.
- Reject Executive Order No. 600/19 that imposes an obligation to unify performance rights tariffs for hotels and establishes a governmental control system over tariff rates.

THE NATURE OF PIRACY IN ARGENTINA

The levels of online piracy of copyright works in Argentina worsened in the past year, showing no signs of recovery from the spike in piracy that the country suffered during the spring of 2020, coinciding with the lockdown implemented to contain the initial spread of the COVID-19 pandemic. The country's Internet penetration rate of over 87% is the highest in the region, with 38.02 million users,² but a robust legitimate online content market cannot take hold until the government makes concerted efforts to address the country's rampant and increasing digital piracy via torrent sites, and downloading, streaming, stream-ripping, and linking sites.

Audiovisual Piracy: Argentina, like the region as a whole, continues to see an increase in the usage of Piracy Devices (PDs). In particular, Android boxes, such as the HTV box and Kodi boxes, are used to stream illicit copies of films and television content. In recent years, IIPA has also seen an increase in consumption of films and television through piracy mobile apps and add-ons.

According to the study *Dimensión e impacto de la Piratería online de contenidos audiovisuales en América Latina* (by CET.LA and Ether City), during the twelve months ending in February 2020, illegal platforms received 53% more visits than websites with authorized audiovisual content, and 17% of searches (45 million searches) for illegal online content in Latin America came from Argentina.³ Pirated content applications were downloaded 473,000 times, while applications for streaming authorized content were downloaded 1.8 million times. Illegal sports broadcasting websites received 22 million visits in the course of the year.⁴

Video Game Piracy: The illegal distribution of physical and online video games and entertainment software in Argentina has continued in recent years. During the pandemic, video game piracy spread over an even greater

² Tiago Bianchi, Statista, *Internet usage in Argentina - Statistics & Facts*, October 18, 2022, available at https://www.statista.com/topics/6709/internet-usage-in-argentina/#topicHeader_wrapper.

³ CET.LA and Ether City, *Dimensión e impacto de la Piratería online de contenidos audiovisuales en América Latina*, December 10, 2020, available at <https://cet.la/estudios/cet-la/dimension-e-impacto-de-la-pirateria-online-de-contenidos-audiovisuales-en-america-latina/>.

⁴ Id.

diversity of formats, including: BitTorrent game content available on Spanish-language illegal linking and download sites, increased availability of online UDGs,⁵ and an increase of illegal consoles and devices available from small, local businesses. According to Entertainment Software Association (ESA) data, Argentina ranks 16th in the world for peer-to-peer (P2P) piracy of console-based video games, and 14th overall (accounting for over 44 million unique infringements in 2022 of all types of video games) for the entertainment software industry. Instead, the volume of UDGs available on the country's major platforms increased further, by an estimated 40% in 2021. Infringing linking sites in Spanish—monetized by advertisements—are the most popular piracy channels for video games in Argentina. Online marketplaces, such as *Mercado Libre*, remain increasingly popular with providers of unauthorized copies of video games, counterfeit consoles, circumvention devices, and modification services. During the lockdown period to contain the spread of COVID-19 in Argentina, the availability of listings on *Mercado Libre* for illegal game titles, UDGs, or physical video game products, including counterfeit controllers and modified game consoles, increased overall by 40% on the popular marketplace; however, removals also increased. Social media platforms enable online pirates of all varieties to attract wider audiences.

Music Piracy: The International Federation of the Phonographic Industry's (IFPI) Music Consumer Study for 2022 (MCS) found that Argentina had one of the highest music piracy rates in the world. The study found that 48.1% of Internet users (and 54.7% of 16- to 24-year-olds) had pirated music at least once in the previous month.

The most prominent forms of piracy in Argentina are stream ripping and the use of cyberlockers. IFPI's MCS found that 42.9% of all Internet users aged 16 to 64 used stream-ripping sites and services to illegally download music from sites like YouTube in the previous month. In total, 12.7% of Internet users reported using the stream-ripping site *Y2Mate* and a further 6.9% had used *mp3y.download*. Data from SimilarWeb reinforced the popularity of stream ripping: *y2mate.com* received more than 20.4 million visits from Argentina during the third quarter of 2022 and *ssyoutube.com* more than 7.6 million. *Y2Mate* was one of the top 100 most popular websites of any kind in Argentina. Mobile apps that allow users to illegally download from YouTube are also popular: in IFPI's MCS, 17.9% of Internet users said they regularly used *SnapTube* to download music from YouTube. A further 6.6% used a similar app called *TubeMate*.

Cyberlocker sites also remain a threat in Argentina, particularly the site *Mega.nz*. IFPI's MCS found that 12.6% of all Internet users had downloaded music from *Mega* in the previous month, and SimilarWeb reported 14.7 million visits in the third quarter of 2022. *Zippyshare.com* was also used by 3.3% of users in Argentina to download music. SimilarWeb reported millions of visits to many other cyberlockers: for instance, there were 1.4 million visits to *1fichier.com* in the third quarter of 2022 and 2.0 million to *Uptobox.com*.

Physical Piracy: Physical piracy continues to be a problem. After 217 days of closure due to the lockdown to contain the COVID-19 pandemic, the notorious market *La Salada* reopened in October 2020 with strict protocols that were blatantly violated when throngs descended on the market for Christmas shopping in December. The market's owner was arrested on non-piracy charges and remains under house arrest.

Illicit Theatrical Camcording: The COVID-19 pandemic, which caused the widespread closure of cinemas in Argentina, temporarily halted theatrical camcording activity. However, as cinemas have reopened to moviegoers, rights holders anticipate that this illicit activity will resume, and Argentina will continue to be the home to a number of release groups that source camcorded material from all over the region and resell it online.

⁵ Unauthorized digital goods (UDGs) are unauthorized sales of in-game digital items. They have become a growing concern for the entertainment software industry. Closely related to these in-game items are software products (collectively known as "cheat software") that enable the unfair and rapid collection and aggregation of virtual goods, such as bots, hacks, and "cheats", or which otherwise tilt the scales in favor of one player over another. The rise of UDGs and cheat software have a negative impact on video game companies and consumers in the following ways: (1) sellers of unauthorized digital goods and cheat software divert significant revenue away from video game developers and publishers; (2) sales of digitally-delivered items, like in-game digital items, have the potential for consumer fraud (such as stolen payment methods or compromised accounts) and the facilitation of money laundering schemes; (3) the unchecked sales of cheat software can threaten the integrity of game play, alienating and frustrating legitimate players; and (4) video game publishers and developers are forced into a perpetual virtual "arms race" to update their products and security technology before the sellers can update theirs.

COPYRIGHT ENFORCEMENT IN ARGENTINA

In 2022, in the absence of significant enforcement improvements to promote a legal online environment during the pandemic, Argentina experienced rapid expansion of already high levels of piracy. Law enforcement authorities suffer from a severe shortage of the resources and coordination needed to efficiently monitor and control digital piracy and the use of illicit streaming devices (ISDs). Reforms in enforcement efforts are needed to stop the import of ISDs into the country, conduct full-scale raids against piracy websites and applications, and take actions against unlicensed retransmission and theft of Pay-TV signals.

In 2022, by Resolution 75/2022, the Ministry of Security updated the Federal Plan for the Prevention of Technological Crimes and Cybercrimes 2021-2024 to redouble efforts to prosecute cybercrime that occurred, especially in the finance sector and in the public sector. In February 2022, the Argentinian Ministry of Security issued Resolution # 86/2022, which creates the ForCIC – Program for Strengthening Cybersecurity and Cybercrime Investigation. The Program aims to coordinate, assist, and provide advice on digital infrastructure security techniques and investigation techniques for cybercrime and crimes involving technology or the use of technology. Although the scope of the program is not restricted to piracy, it is an important step in combating copyright infringement in the digital environment.

Finally, Resolution No. 139/2022 of March 15 created, within the framework of ForCIC, the CICAT (High Technology Cybercrime Investigation Center). The objective of the Center focuses on training, preventing, analyzing, and investigating cybercrimes, covering specific areas of approach such as digital forensics and federal regional units, among others. Within the framework of this plan, the Ministry of National Security called for a Federal Public Awareness Campaign on Cybersecurity and Cybercrime Prevention, through Resolution 731/2022, with which it invites the Provinces and the City of Buenos Aires to join the campaign.

It should be noted that the Specialized Cybercrime Unit (UFECI) also reported an increase in cybercrime from 2020 to 2021. Throughout 2020 they received 11,396 reports – around 31 per day – which is 381% more than in 2019, which had 2,369 cases – 6.5 daily. While only in the first quarter of 2021 they registered 3,976, which is 403% more than the same stage of the previous year.

Rights holders have reported very few significant cases of copyright enforcement actions by Argentina's law enforcement in 2022. General inaction and lack of coordination in online infringement investigations and cases between federal and state jurisdictions remain major concerns. For example, when an online IP crime is reported, both the Federal Police and the State Prosecutor might independently proceed processing the case without communicating or sharing data. The federal police view copyright infringement as a federal crime, and the state prosecutor views it as a crime involving a local Argentinean citizen. The Government of Argentina should establish greater cooperation among federal enforcement agencies to address online piracy as a united front by creating a specialized IP Prosecution Office and establishing federal jurisdiction over copyright crimes. Argentinean law enforcement authorities need to be trained to recognize the importance of online IP protections as an important piece of Argentina's digital economic development and its collateral benefits for public security policies. Additionally, law enforcement authorities should take further concrete steps to establish an agenda that reflects short- and long-term goals for tackling illegal sites and piracy groups operating in the country.

The Government of Argentina should assign adequate legal powers and financial resources to the Ministry of Justice's Copyright Office (*Dirección Nacional del Derecho de Autor*). Moreover, the Government of Argentina should undertake routine, *ex officio* actions, such as inspections and raids of physical markets to stop commercial piracy. The Government of Argentina should actively involve the Argentinean Customs Office (DGA-AFIP) in copyright enforcement actions and engage customs authorities to monitor and perform border operations against counterfeit, high-value

products (such as circumvention devices and modified game consoles) entering the country via airports and land borders.

Other procedural challenges in Argentina include defaults in the evidence chain of custody for cybercrime cases and the characterization of profit and economic benefits from online advertisements. The Government of Argentina should continue to apply the Civil and Commercial Code to ISP liability cases, including for the storing of infringing content. Furthermore, Argentina lacks legislation establishing protections relating to TPMs and RMI, which are critical for enabling legitimate online business models and products. The lack of these legal tools is a further obstacle to enforcement against circumventions and hacks of copyright works.

Enforcement actions against piracy linking and direct download sites require complex investigations involving data requests to multiple service providers, who, in turn, require the support of judicial authorities for the requested actions. Unfortunately, because law enforcement authorities generally fail to prioritize online copyright infringement cases, rights holders must instead rely on self-help measures. While there are some positive examples of private sector cooperation, there are no clear incentives from the government to generate cooperation between the private and public sectors, causing a shortage of voluntary and beneficial initiatives.

In 2022, in the absence of government action, rights holders continued to rely more on cooperation with other actors in the online ecosystem. The video game industry has increased its cooperation with *Mercado Libre*'s regional office, based in Buenos Aires, as a strong partner through which UDGs and other infringing video game items are removed from listings, and to combat commercial game piracy in the entire region. ESA reports that from 2021 to 2022, *Mercado Libre* successfully completed approximately 1,800 takedown requests. The Government of Argentina should host private sector discussions on potential cross-industry cooperation to tackle online piracy more effectively and to support the development of the local digital economy.

The music industry requests the removal of pirate sites through notices sent to registrars and hosting services. In some cases, these notices result in successful site removal. The music industry also sends daily notifications to Google services and YouTube to request the removal of pirate sites from search results and infringing user uploaded content.

In August 2022, the Alliance for Creativity and Entertainment (ACE) managed to take down seven piracy domains based in Argentina. The Pelismart/Pelispop ring comprised several websites that combined monthly traffic of over 27 million visits. Due to ACE's actions, the operator agreed to take down the content, transfer the domains to ACE, and enter into a settlement agreement. However, it is important to note that this enforcement action was undertaken by a private entity (ACE), and not by the Argentinian government.

In October 2022, the Supreme Court ordered a Buenos Aires lower court to investigate a complaint for illegal broadcasting of audiovisual content of the Premier League of England. The complaint is from the Football Association Premier League and maintains that "unknown persons" are illegally broadcasting audiovisual content of football in England. The case, initiated several years ago, will now be processed by the National Criminal and Correctional Court 18. The Premier League's claim maintains that the images are "limited access" and that the retransmission to the detriment of the firm is done through the method of continuous download or "streaming."

In May 2021, Argentina approved the Second Additional Protocol of the Budapest Convention. This bolsters the Government of Argentina's welcome creation of the C4 within the Cybercrime Investigations Directorate in the Ministry of Security. The commission's goal is to monitor the implementation of the NPAC and to coordinate actions against cybercrime through collaboration among the security forces, public-private initiatives, and cooperation with international organizations. This task force is comprised of representatives from four federal security agencies: the Navy, Federal Police, National Gendarmería, and Customs. C4 concentrates on crimes such as large-scale money laundering, fraud, and crimes against sexual integrity, trafficking, and pedophilia. The creation of C4 could be part of a long-awaited solution for enhanced coordination to tackle online IP crimes.

IIPA urges Argentina's authorities to partner with rights holders to use industry expertise to combat cybercrime. Additionally, Argentina should create forums of cooperation with the private sector and to accelerate law enforcement actions against the increasing problem of online crime in Argentina. Indeed, at the beginning of this year, by Resolution 1/2023, the Argentinean government called for a public consultation regarding the document on the Second National Cybersecurity Strategy.

Law enforcement and administrative authorities are not promoting actions by the private sector, nor are they taking any initiatives to tackle copyright piracy through securing the assistance of domain name registrars. Based on feedback from the criminal enforcement authorities, it is understood that they view any infringing site that makes money through advertising as not making direct profits from copyright infringement, and therefore, ineligible to be criminally prosecuted. This narrow interpretation of the law is not compatible with the WTO TRIPS Agreement obligation that its parties ensure that criminal enforcement measures are available, at a minimum, against commercial-scale copyright infringement.

In November 2022, the National Court of Original Jurisdiction in Civil Matters issued a decision ordering ISPs to effectively block access to the stream-ripping site *Y2mate.com*. This was the first time ISPs in Argentina had been ordered to block a stream-ripping website. Prior to this, ISPs were ordered to block *The Pirate Bay* by the National Court of First Instance in Civil Matters No. 64 (Case 67,921/13). This decision remains in full force and effect. After the initial order was issued in 2014, it was found that some ISPs were not complying with the order. As a result, new legal actions were filed and, at the end of 2018, all ISPs were sent new notices instructing them to continue blocking the site.

Despite the success of the blocking action against *The Pirate Bay*, it should be stressed that, due to the time required to prepare the evidence and information gathering for the action to move forward, as well as the jurisdictional disputes that arise in ordinary civil and federal procedures, this is not the most effective way for scaled actions that would have a real impact on the digital piracy ecosystem.

On September 23, 2019, the music industry filed a judicial review action challenging the constitutionality of the Executive Order No. 600/19 that created a single public performance tariff for all hotels and established a governmental control system over tariff rates. The action claims that the Order is an unconstitutional and confiscatory measure because it deprives rights holders of the freedom to set rates according to the nature and specifics of different uses and to enter freely negotiated agreements with users' associations. In 2022, the case was still pending for resolution before an administrative court of first instance in Buenos Aires.

COPYRIGHT AND RELATED LAWS IN ARGENTINA

No new laws regarding copyright, IP or piracy have been adopted by the legislature in 2022.

MARKET ACCESS IN ARGENTINA

A number of economic conditions in 2022, combined with a heavy tax burden on content, have driven audiences in Argentina to seek pirated materials online as a less expensive alternative.

Local Content Quotas: Media Law 26.522 (promulgated through Regulatory Decree 1225/2010) established a registry of national films at the National Film and Audiovisual Arts Institute (INCAA) from which Pay-TV programmers select productions to comply with the quotas imposed by Article 67 of Media Law 26.522. The list includes both existing and yet-to-be-filmed productions. Both INCAA and ENACOM have yet to establish compliance procedures for Pay-TV programmers. The decree presents several problems, such as whether channels with highly specific content will be

able to find suitable content in the registry and whether programmers are subject to fines if they do not broadcast productions that ultimately fail to be completed.

Local filmmakers increased pressure on ENACOM and INCAA to enforce existing quotas⁶ and to modify Media Law 26.522 to extend quotas to streaming services. Another proposal by local interest groups would modify the 1994 Law 17.741 for the Promotion and Regulation of Film production (also known as the Film Law) to implement screen quotas on digital platforms and subscription-based media for which more than 50% of broadcast content is fiction, documentary, or animation programs: 35% must consist of nationally produced audiovisual content by companies or studios not associated with or part of the exhibitor, 75% of which should be at most two years old. All audiovisual broadcasting services including free-to-air television signals and mobile telephony with video platforms would also be required to produce at least 20 hours of national audiovisual productions per year. There appears to be an increase in proposals to regulate streaming services by introducing content quotas and imposing taxes (recently tabled bills include 3951-D, 5735-D, and 6716-D). IIPA cautions against proposals for additional quotas or imposing quotas on streaming services because they negatively impact non-Argentinean content industries and impact the competitiveness of audiovisual ecosystems where cross-border services are subject to local content quota requirements.

Customs Duties: Argentina assesses customs duties on audiovisual works based on the potential royalty value of the work rather than on the value of the carrier medium. This runs counter to international best practice and is a form of double taxation, as royalties are subject to withholding, income, value-added, and remittance taxes.

In December 2017, the government passed a tax reform law that imposes a 35% customs duty on imported video game consoles, which negatively impacts the entertainment software industry as consumers resort to “unofficial importation” to avoid paying the extra charges. Moreover, the law also imposed a 21% Value Added Tax (VAT) on OTT services as well as on a range of services provided by companies in the “collaborative economy.” Then, in December 2019, the Fernandez Administration imposed a 30% Social Solidarity and Productive Reactivation Tax (PAIS Tax) over OTT services, including video game, music, and movie services. The PAIS tax is currently in force and will expire on December 31, 2024. Additionally, on September 19, 2020, Argentina’s Central Bank imposed a 35% fee on foreign credit card charges, which has a negative impact on Internet and streaming services such as online game platforms that operate in the country and use foreign currency. These laws contradict international norms and should be amended or repealed.

Election commitments made at Alberto Fernández’ 2019 inauguration hint that the government could send a Digital Tax Bill in 2023. The government is waiting for further international discussions on the topic, including technical guidelines on how to calculate the income for companies before submitting a Bill to Congress.

Distribution of Performance Rights: Argentina’s current law, approved in 1974, establishes that collections on behalf of music performers and phonogram producers shall be distributed 67% to performers and 33% to producers. This unfair distribution rule, imposed by law, goes against international practice and basic fairness. IIPA urges Argentina to consider legislation that establishes a more balanced distribution of 50% to performers and 50% to producers.

⁶ Resolution 4773 E/2017, mandating certification of compliance with the screen quota provisions set forth in Section 67 of the 2009 Media Law and its accompanying regulation (Decree 1225/10) went into effect on January 1, 2018, but it has never been enforced. The quota regime requires free television licensees to air eight Argentine feature films per calendar year. Likewise, non-national (retransmitted) subscription television services that show primarily fiction programs are required to allocate 0.5% of the previous year’s annual turnover to acquire, prior to filming, the broadcast rights to independent Argentinean film and TV movies. Moreover, in July 2018, INCAA published a resolution (Resolution 1050/2018) regulating content quotas for movie theatres, which came into force on July 10, 2018. Domestically produced films must represent 30% of the volume of content shown, for the entirety of one week per quarter where there is a dedicated screen. While that 30% content quota was in effect previously, under the prior regulatory regime, the screen could be shared with another film. Under the new regulation, should the exhibitor share the screen with another movie, it will be considered a partial fulfillment, and the local production must be shown for two weeks (a minimum of one screening per day for at least one additional week) or until the full quota is fulfilled. Also in July 2018, ENACOM announced Resolution 4513 establishing that a 30% local content quota would be enforced on free-to-air TV in urban areas (10-15% for lesser populated markets). IIPA recommends that this quota provision be eliminated, as quotas distort the market, discriminate against U.S. audiovisual content, and are likely to result in increased piracy because Argentinean consumers are unable to get sought after U.S. content.

Bill to Modify the Audiovisual Communication on Digital Platforms Law: In the last quarter of 2022, representatives from Argentina’s Ruling Party (FdT, the Front for All) presented two separate bills to modify the Audiovisual Communication on Digital Platforms Law and to amend the 2009 Media Law, *inter alia*, extending its reach to regulate digital streaming platforms. A third proposal was sponsored by a broader range of the political spectrum. All three bills establish OTT taxes and screen quotas that would negatively impact several audiovisual markets, including but not limited to, streaming platforms, music streaming, video game production, and podcasts. Furthermore, in one case, a differential percentage was proposed for taxation between foreign and national platforms (six and three percent respectively) of billing. The proposals are in different stages of review; only one has been assigned to and is awaiting treatment in the Lower House’s Communications and ICT’s Committee and Budget and Treasury Committee.

Decree 690/2020 Establishing Pay-TV, Internet, and Mobile Telephony “Competitive Public Services”: In 2020, President Fernandez issued Decree 690/2020 establishing Internet, cable television with spectrum and satellite use, and mobile telephony as “essential services” with rates increases determined by ENACOM and subject to government approval. The Decree has been successfully challenged in court, with all the larger cable service operators granted successive six-month injunctions suspending the principal articles (Arts. 1-6) of the Decree. The Government has appealed to the Supreme Court.

TRAINING AND OUTREACH

A conference on cybersecurity and cybercrime investigation occurred from October 17- 21, 2022. Organized jointly by the Ministry of Security of the Catamarca Province and the Federal Ministry of Security, the goal was to provide support in capacity building in relation to cybercrime problems, investigation techniques, and protection and analysis of digital evidence through forensic software.